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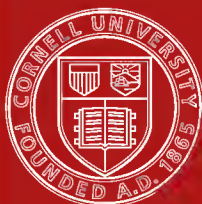
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INTERNATIONAL WAR  
ITS CAUSES AND ITS CURE



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TORONTO

# INTERNATIONAL WAR

ITS CAUSES AND ITS CURE

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## PREFACE

THE views expressed in this volume first appeared in a pamphlet published in 1911. The general principles concerning the possibility of eliminating international war are deducible from the 8000 years of human history which was available to us before the fatal events of 1914. A student addressing himself to the subject before that date might indeed fail to arrive at sound conclusions, but his failure would not be due to lack of material.

It would have been possible, and perhaps from the point of view of current interest desirable, to illustrate the various doctrines presented by citing the incidents of the Great War. On the other hand, very recent happenings involving great passions are always the subject of hottest controversy, and, therefore, scarcely suitable for use in a work which strives, with whatever success, to urge its doctrines on grounds which may be accepted or rejected by readers independently of their nationality.

The book was written before the entrance of the United States Government into the war. The delay in publication has been due to the advice of some whose opinions the author was bound to respect.

The time is ripe for forming the public mind on the momentous question of a League of Nations, and any author who believes that he can contribute to the great discussion should now present his views.

It would have been possible in the last few days, before going to print, to modify the text in various chapters where Germany, Russia, and Austria are treated as units, with the magnitudes which they possessed before the war. On second thought, however, it appears best not to make such changes, and that for two reasons: (1) that these Governments, now disrupted, may be reorganized (whether with one form of government or another) into new units substantially equal in magnitude to the pre-war organizations; and (2) that the principles of representation in an international tribunal are expressed with sufficient clarity (it is hoped), so that changes in the actual strength of a given power will not obscure the scheme as set forth.

*This work has no official sanction whatever.* The fact that the author has been an official of the United States Government since that Government entered the war against Germany has had nothing whatever to do with views which were formed long before Europe was plunged into war. At the time these pages go to press, the author is not acquainted with the plans for international reorganization which may be presented at the Peace Conference by his Government, save in so far as certain principles have been indicated to the world at large in President Wilson's utterances.

In the original arrangement of chapters, those

which treated of the inevitability and the desirability of war, and those which discussed at some length the various causes of war, were made to precede discussion of the methods by which international peace may be firmly established.

The progress of events has been such that, at the last moment, it is deemed wise to alter this arrangement, so that readers who may be entirely convinced as to the possibility and desirability of ending international war, and others who are little concerned as to the causes of war, may at once be introduced to those discussions which are now most insistent in the public mind. This rather hasty rearrangement sacrifices the logical presentation of the subject as a whole.





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## CHAPTER I

### GENERAL SURVEY

THE disaster that has befallen Europe is, in human measure, so great that one is tempted at times to rise above dry discussion, while hoping that mere insistence upon the world's misery will somehow work its cure. One is tempted to plead with the loud partisans of Hate that, even while they wound the body, they should spare the soul of Humanity, that they should cease to poison it with the venom of lies and of calumny.

But, alas ! we know that already men have died, countless on the field, and women have mourned, countless in the home. Already, in past ages, woe has vainly filled the minds of philosophers and statesmen as they mingled their sorrows with those of unreflecting multitudes ; and we know that when storms of war have died down into the peace of exhaustion, Nature has again filled new generations with the bread of prosperity and the wine of pride. Unmindful of their own dead, unmindful of sufferings borne or sufferings inflicted, men have again lighted the fierce flames of war, consuming thus the material and moral gains of their quiet years.

Remembering these resurgent paroxysms of our race, men have said, " It is written that we should

suffer thus." And he who would help to a new faith must show that it is *not* so written; and he must add to his creed of better things a suggestion for the building of an institution in which sentimental hope may become practical reality. For our fairest ideals must be housed in organization, if we would have them serve us well.

The author knows full well that men may not be ready to do a simple thing—that is, to establish between sovereignties the familiar mechanisms now existing within each state.

Though individuals have long since yielded up the right to assault each other in private war, yet we cherish, for our last surviving demigod, the Sovereign State, a right to attack and destroy its peers, in conflicts prepared by calculating statesmen or precipitated by unthinking multitudes.

We are even loath to set bounds to the power of a strong nation that would hold weaker peoples in commercial bondage—we hesitate to set up international equality of trade privilege among the subordinated populations of the world, while well knowing that to struggle for the shameful prize of "closed markets" means war.

So, for a long time, we may continue to write international decrees in blood rather than in ink. And we may strive to accomplish a new order without sufficient sacrifice of old conditions. We may make a League of armed nations, independently exploiting their "possessions" and their "spheres." This League we may call Peace. But Peace it will not be.

No illusions are cherished as to the difficulty of the programme indicated in these pages, though that difficulty arises only from conservative prejudices,



from timid doubts, and, above all, from slothful inertia. These are very real lions. Fate has placed them along every path of progress. The adventurer who realizes their existence will be fortified against impatience. He need not be deterred thereby from pressing on his way.

### *What is War ?*

Definitions, like matter, may be infinitely subdivided—to the confusion of all practical people. Yet, in an argument, they are essential as the joist and rafter to the carpenter.

In this treatise we mean by “war” a contest waged through destruction of life and property by groups over which, as groups, no common and recognized restraining authority has been set. Such groups may be sovereign states or savage tribes. Their individual components are presumed to act through organisms which combine and direct the otherwise dispersed forces of the population.

We may now proceed to a statement of principles, the demonstration of which appears in succeeding chapters and appendices.

### *War is not inevitable*

It has been said by many that war is for ever inevitable among us. The truth or falsity of this statement is of fundamental importance in our inquiry.

Must we read “Let there be fight!” as a decree immutable for all nations and for all time? If so, our discussion will be limited to the questions, “How often are we commanded by Fate to cut each other’s throats?” “How long shall wars be protracted?”

and "How shall we assign the respective rôles of aggression and defence to puppet nations?"

It will be here maintained that, under certain conditions, competitive violence has regularly appeared, *and will appear*, between groups of men, whether primitive or highly developed; but that those conditions become of rarer occurrence as our material civilization advances in its conquest of Nature, and as our statesmanship advances toward freedom of intercourse between all men. Progress has already been such that thousands of small communities have, from time to time, coalesced into great States, within which these groups have found mutual benefit by establishing free commerce and by substituting for their primitive competitions of arms the fixed rule of *centralized judgement backed by centralized force*.

### *War is not desirable*

In rude contests of spear against spear, the human race has established certain virtues and strengthened others; but, after duly weighing all good and evil results, it appears to be not only *practicable*, but also *desirable*, that we eliminate war and substitute therefor peaceful determinations of international disputes.

Many millions of men throughout the world find it difficult to maintain the mere animal body in comfort. For them, a very small diminution of supply results in actual suffering. This diminution is often caused by war—directly through its destructive operations, and indirectly through the diversion of invention from its beneficent work in the amelioration of poverty.

Hate is the great enemy of us all—rich and poor

alike. Even if the body be sumptuously fed and clothed, hate may destroy all the sweetness of life—nay, it may make of life something worse than mere death, it becomes *positive evil*. War breeds hate, endows it with venom, puts it into a million hearts. Thence comes an issue of unconscious perversions, and of conscious lying. Material and moral *impoverishment* results from wholesale efforts to kill each other—and this even when we fight in a “righteous” cause. As it is our duty to fight, while war is the only *system* controlling nations, we are thus *bound* to attack and weaken some of the principles most conducive to human happiness.

The least that can be said, after many millenniums of the war-system, is that the *other system is worth a trial*. Its failure can do no more than send the cause of *civilization back to the court of war*, where it now makes its stormy pleadings.

*The Central Control must be armed to enforce  
its Decrees*

International war can be eliminated only by setting up between and over nations mechanisms of judgement and of enforcement, similar to those which restrain individuals and groups within the nation. Relative peace *within* the state is not due to millennial virtue of its citizens, but to their general (not universal) willingness to support control of their own combative tendencies.

I, the peaceful citizen of to-day, must contribute to the building of a prison which may receive me, the violent law-breaker of to-morrow. That is the domestic civilization of to-day. Governments must contribute to the maintenance of a force which may

be turned against them as rebellious members of a great union. That will be the international civilization of to-morrow.

With such mechanisms, freely established by willing majorities, international tranquillity may be assured with about the same degree of success that is observed in the maintenance of domestic order. For the attainment of this end we need not "change human nature" in any other sense than that in which it was "changed" in the establishment of restraints against violence within each state. These now operate, in varying degrees of perfection, in one group, the British Empire, of nearly 500,000,000 of men; in another group, China, of about 400,000,000; in another group, the United States, of about 100,000,000; and so on down the scale to groups of less than 100,000.

*Pending the Establishment of Central Control,  
Nations should not disarm*

Until an effective armed tribunal shall have been instituted, with simultaneous disarmament of the groups supporting it, no great nation should be unarmed. The pedestrian in Piccadilly needs no gun; the traveller in New Guinea is a fool if he have none. All nations remain still in savage relation to each other, with spear and shield as the sole guarantee of life, liberty (?), and the pursuit of a precarious happiness.

*Past Developments tend toward International  
Organization*

Changes in the relations between *national* groups, similar to those that have already been effective

between families and tribes, are now rapidly at work *tending* to produce international organization similar to that which has bound the smaller groups into independent states. This tendency must ever struggle against all the Bourbons in the world—Bourbons intellectual and Bourbons sentimental.

The historical parallel is not confined to action of subordinate or undeveloped bodies merging into one sovereignty, but it is also seen in the cases of several such *true sovereignties* yielding their *independence* for a new *inter-dependence*. These mergers have, in fact, been of far more intimate character than is now necessary for the establishment of peace-keeping instrumentalities.

Elimination of competitive violence in these cases was as “inevitable” as is the continued occurrence of violence under certain other conditions.

*Progress has been made by Substitution of Co-operation  
for violent Competition*

Even if physical contests are to continue in some form for ever among men, it does not follow that the *Nation or the State* must be the fighting unit. Issues of gravest moment are at stake between groups *within* the nation. Employer and employee, shipper and carrier, manufacturer and purchaser, farmer and consumer, white man and coloured man, Catholic and Protestant, Christian and heathen, orthodox and agnostic, republican and monarchist, uni-lingualist and multi-lingualist, individualist and collectivist—here are dragons’ teeth enough.

Yet, concerning all these issues, and those that are essentially international, we have made and may make true progress by substituting for physical

violence other forms of competition ; and also, in some measure, by eliminating competition entirely (whether of the violent kind or not), and substituting therefor various forms of peaceful co-operation.

We have still to learn the goal of that process indicated by the "survival of the fittest." Fittest for what ? The "war-for-ever" partisan cannot monopolize this impressive phrase. Who knows but that nations are being "fitted" to live as quietly and honourably as John Smith, the citizen ?

*Some Causes of War are now Obsolete, others Parasitical, others determinable by Reason*

The progress of civilization has not only consolidated many units, once competitive, but it has already eradicated several *causes* of war, once fruitful in producing conflicts. These conflicts, by their frequency, have had a share in creating belief in the *inevitability* of war in general.

Other wars are shown to be merely parasitical ; they grow out of the existence of war as a system, and must disappear if that system should disappear. Thus, *contests* over *neutral rights*, or for *strategical points*, are examples of a sort of hook-worm infesting the developed body of the war-system.

Certain obsolete causes of international dispute were, in their very nature, not susceptible of determination by impartial judgement. On the other hand, the causes of war still in operation among us are determinable by processes of reason ; or if not, they are of such character that their manifestation should be, and can be, suppressed by *central force*.

*War as a System breeds War*

All present sources of international irritation are rendered more dangerous by the mere existence of war as the supreme tribunal of sovereign states. If judgement be substituted for violence, many situations, now provocative of war, will inevitably disappear. You will be nervous and suspicious; your conduct will not be marked by sweetness and light if, while engaged in friendly negotiations, you realize that all your neighbours have their pistols drawn, and pointing in your direction. The hostile weapons having been withdrawn, your whole outlook upon life is pleasantly and profoundly altered.

*An International Tribunal should combine the  
Characteristics of Arbitrator and Judge*

There is no sound or useful distinction between "justiciable" and "non-justiciable" questions—and unless nations are willing to submit to a competent tribunal (or tribunals) *all* questions threatening war it will be vain to expect a lasting era of peace. The more definitions, the more quarrels.

The existing body of so-called "International Law" deals chiefly with belligerent and neutral relations—in other words, with war—and would, therefore, practically cease to exist in a régime of central force. No sufficient body of *law* can be cited as covering the policies, passions, and prejudices about which nations usually fight.

Some of the uncertainties pertaining to these unregulated causes of war may be removed by more intelligent treaties. Many of the present incitements to war will fail by the mere substitution of central

for competitive force. But as to the rest, if, indeed, the nations truly desire peace, then they must be willing to submit to determinations made by the application of the *common wisdom* and *common interest* of the time, interpreted by a Supernational Tribunal. In other words, *they must be willing to yield their present sovereign right of fighting for their own views of their own interests.* If we would have order, we must have subordination. And order proceeds from one source—not from many.

In practice there is no such thing as abstract “justice” accepted by all good men. “Just” men have cut each other’s throats since the world began in defence of opposing views of “justice.” They will continue to do so, unless restrained by mechanisms which secure an approximate “justice,” but whose chief function is to secure *tranquillity*. The “justice” rendered by an International Tribunal may be expected to be at least as near to the abstract quality as that which is obtained by war. “Judgement” is within human reach. “Justice” is blown among the clouds by diverse winds of opinion. Judgement is one opinion—that of established authority.

### *Legislative Powers not necessary*

In its inception, the central mechanism need not be—nor should it be—distinctly legislative in character. It should have power to settle disputes, and check overt acts, which otherwise would produce war. Precedents established by its decrees, and special agreements between nations, would gradually create a body of law. A parliamentary organ may be established later; but the *peace-keeping organ* need



not be delayed until both can be agreed upon. Let us plant in our garden the fair lily, Tranquillity, ere we paint it with legislative hues.

*Centralized Force tends to eliminate all Force,  
including itself*

The establishment and functioning of centralized judgement and force will enormously shorten the period of preparation for an era in which physical force may possibly vanish. The actual *enjoyment* of tranquillity under the aegis of a central armament will presumably so strengthen and universalize the *desire* for tranquillity, and will so hasten the understanding of the mutuality of social interest, that we may now consider such a guaranteed tranquillity as the *sine qua non* of reasonably rapid progress toward a condition of forceless social organization. Peace by central control will give us an opportunity to know each other. Perhaps then we shall respect each other well enough to discharge the constable.

*Progress will be made by Discussion of definite  
Propositions*

To make progress toward a new order in the world, we should bring about *simultaneous discussion in responsible parliaments of identical propositions, looking to the establishment of an International Tribune competent to enforce final determination of all disputes threatening international war.*

These propositions, while under discussion, should appear in exact terms, as if for final adoption. Acceptance, rejection, modification or substitution will then register accurately the progress toward agreement

(or disagreement) among the nations. If general principles alone be discussed, we may confidently look for a large crop of misunderstandings. One may be eloquent in relation to cloud-forms ; but one must be accurate in the study of geometrical figures.

## CHAPTER II

### QUESTIONS OF HONOUR

FORTINBRAS is immortal. A spark of him lives in every breast. And a million such sparks may at any time flare up into the flame of a great war. His enterprise of honour inspires these noble words of Hamlet :

Examples gross as earth exhort me :  
Witness this army of such mass and charge  
Led by a delicate and tender prince,  
Whose spirit with divine ambition puff'd  
Makes mouths at the invisible event,  
Exposing what is mortal and unsure  
To all that fortune, death and danger dare,  
Even for an egg-shell. Rightly to be great  
Is not to stir without great argument,  
But greatly to find quarrel in a straw  
When honour's at the stake.

The questions of injured honour and of offended pride, though separately stated in another chapter, may be resolved into one issue for our discussion. Both sentiments rise above (or sink below ?) the levels where Reason dwells. Much that Honour grieves over is bred in Vanity. Much that Pride exacts roots itself in Arrogance. Yet these sentiments are not to be globally condemned. Honour also demands that the strong shall aid the weak. And Pride may spring from sense of *duty* as well as

from pursuit of *ambition*. Alike in their vagueness and in their power, the generous emotions stirred by virtuous Pride are widely distinguished from the irritations caused by sinful Arrogance. Misfortunes experienced through the former are viewed as sacrifices offered to the general good. The destruction that awaits the latter is but an expiation suffered through miscalculated selfishness. Succeeding ages may applaud the first—they will abhor the second. Only a race of cravens would dispute the value of that something fine that dwells in honour. Only a race of bullies would deny the iniquity of that something coarse which grows in arrogance. Our task, however, is not to uphold what the world already endorses, or to attack what the world already condemns. Our inquiry is this: Shall nations submit the demands of Honour and the pretensions of Pride to the decisions of impartial Judges? Or shall they declare that blood alone may avenge an alleged injury to these sentiments?

It is easily seen that if we insist upon the ancient trial by battle, for any cause whatever, we forfeit the whole scheme of international peace-keeping. We must therefore take counsel with ourselves before we choose between the two possibilities—peace and honour preserved by judgement, or honour alone preserved by war. Must we forfeit honour if we hold to peace? What is a point of honour? If the Great Court is to have jurisdiction of quarrels rising from wounded sensibilities, will the nations be able to codify rules which, being offended, give to one party or the other a clear claim for blood-vengeance? And can we diminish armaments so long as any neighbour is free to attack us, alleging only that we

have offered an insult, unforgivable and immeasurable? Are not adversaries found, each declaring that the other is *aggressor*, in matters of honour as well as in matters of grosser interest? Is not honour a precious thing only as each individual treasures a conception of it in his own breast? Men like Colonel Roosevelt, who clamour much over this point, have given and taken the lie. From many windy contests, reeking with the terrible little word, they and their enemies—all being unarmed—have emerged, unscathed in body. Yet there are others—point-of-honour men also—who cannot conceive that this exchange could occur without bloodshed. In their view, that is a cowardly code which would convert official position, or any other status, into a shield protecting from bodily attack one who had stabbed the character of another—as by calling him an “infamous liar.” Yet there are partisans of such a code. Verily, we are not of one mind concerning this grave matter of personal honour. And is there a standard yard-stick for measuring the fine sentiments which are woven into our country’s flag? We know that men weave fustian there, as well as pure silk. We know that the jingo will cry as loudly over some Orlando Furioso issue, as over the most virtuous cause. We know that within the ranks of the same state good citizen “A” will declare that he sees no insult in a certain action of a neighbour state, while good citizen “B” declares that no man in all the land should hold up his head until the foul wrong be avenged.

And we know that highly developed individuals in highly civilized societies manage to live in dignity while submitting to the appointed courts. When

all are unarmed, the emergencies requiring personal violence are negligible in number. Yet, as individuals, we have far more points of delicacy to settle than have the big groups to which we belong as citizens.

In some of the literature on this subject, there is an apparent confusion between the quick blow that may be given in self-defence and the organized man-hunt following coolly after inquiry. This confusion appears in Colonel Roosevelt's plea for a sword that shall never be sheathed since it may be required at any time to strike down a sudden assailant. He who slaps your face affronts your honour. Unless the policeman's hand is instantly laid upon the aggressor's arm, to withdraw him from your reach, you will surely strike back—bare hand against bare hand. That would be the case between Governments, after international organization. If one state falls upon another by sudden invasion, obviously there must be instant repelling of the attack. But, in the new order, this attack could be made only as by the bare hands of the individual. Both adversaries are unarmed, save for the puny force required as domestic police. Neither can be seriously wounded ere the central power—the big policeman—arrives to restrain both, and thus keep the affair within the dimensions (relatively) of a street-brawl.

And, *per contra*, if both the citizens—if both the states—be permanently and heavily armed, then from every disputed point of honour—from every quick burst of temper, from every eruption of insolent pride, tragedy may result. Yes, tragedy all out of proportion to the moment's wrath; tragedy deplored by both adversaries, now ready perhaps to forgive

the injury, or to recognize the misunderstanding; tragedy enveloping thousands who dispute that their honour has been touched.

Nations are governed by men of like passions with ourselves. Ministers exchange hot words—taunts—charges of deception. Anger follows. Millions of men are urged to support the words and acts of ten—or two—or one—chancing, for a brief time, to represent the nation in its foreign affairs. The good or evil temper, the open or the secret negotiations of one man, may set a whole nation in arms.

We must be insulted if *he* is insulted, or if he only *fancies* an insult. His standard of honour is forced upon his countrymen. In defending it, we must kill numbers of ordinary men, ignorant of the whole affair. And we must in our similar ignorance be killed—*unless we set up a Judge in Israel*. There is no other way given under heaven by which we may be saved.

One must wonder that any who call themselves advocates of peace insist upon the practical distinction between disputes of “honour, territory, and vital interest” on the one hand, and all other disputes on the other. It is quite true that the world may not be ready to put a stop to international war. Let us then cease to discuss the establishment of international tribunals. Let us prepare to cut each other’s throats in the future, even as in the past. But let us not waste time over such fanciful distinctions as are so much insisted upon by Mr. Roosevelt and others of his school. Even the most jingo of statesmen do not send men out to death, *in any war*, unless they believe that the contest involves the honour or the vital interest of their country. Other-

wise, our rulers would be only accessories to wholesale murder. Their consciences can be clear, if they declare war, only when they believe that the sacrifice of a part will serve the "vital interest" of the whole. If we are to *exclude* from an international tribunal those causes which alone could "justify" the killing of many human beings by their brethren, then the new pact should read as follows: "We do very solemnly pledge that we shall not fight each other about anything which we do not want to fight about. And to that end we will set up a tribunal to which we shall submit such quarrels as each may choose to submit, if the other will but agree with him; and as to all other questions there is but one master, and that is the sword."

If our race had not been condemned to great follies in the past, it would not now be necessary to discuss the possibility of such proposals being adopted. Yet they are, in substance, very seriously presented by very eminent men.



## CHAPTER III

### COMPROMISE METHODS : LIMITATION OF ARMAMENTS

THE various programmes for international peace that have thus far been mooted, may be classified as follows :

*First*—To limit armaments by international agreement.

*Second*—To set up by treaty various mechanisms of delay, without final compulsion, and in the hope that the mere cooling-off of excitement will permit nations to find peaceful settlements, whereas, failing such mechanisms, resort to arms would be unavoidable.

*Third*—To establish international tribunals, to which, by agreement, all disputes, save those affecting honour, vital interest, and territory, shall be referred for final determination. No central force to be provided as a sanction for the decrees of the tribunal.

*Fourth*—To establish tribunals to which *all* international disputes shall be referred for final determination, again without central force as a sanction for the decrees. (Under these last two forms we may classify the various Hague Court accomplishments and proposals, in all of which the constituent nations retain their competitive armaments.)

*Fifth*—To establish forceless international tribunals to which all international disputes shall be

referred for settlement, with agreements pledging each nation to direct (on its own motion, or, alternatively, on that of a central body) its *independent forces* against any member of the compact making war or committing an "act of hostility" before submitting its quarrel to the proper tribunal.

*Sixth*—To disarm the signatory nations, and simultaneously to establish an international tribunal or tribunals with full peace-making powers, and controlling a true international force as a sanction for the decrees of the tribunals, and for defence of signatories against attack from powers outside the union.

The proponents of these various plans sometimes speak of an international *parliament* as a necessary feature of a peace-keeping programme. Others suppose that, coincident with the setting up of any permanent tribunal, an international code shall be adopted, covering, as far as possible, the *status quo* of possession and of existing rules of international conduct. Thereafter it is presumed that the inevitable flux in human relations will be reflected in the decisions of the tribunals, gradually forming a body of precedent; and also by occasional formal additions to the accepted code, these additions to be negotiated by diplomacy, in the ordinary way, or by special international conferences.

Obviously there is a wide range of suggestion within which men may wander, setting up distinctions of detail, but not essentially varying from some general concept adopted as the practicable one for present action.

The really *fundamental* difference which marks off the last plan from all the others lies in this, that it

supposes the existence of a *true international force*, and the destruction of national armaments except those which may be required for domestic police. In all of the other plans, *the retention of independent arms is supposed*, and the use of these arms remains, as at present, the final determinant of international quarrels. As an exception to this general statement, it must be said that there is a school, respectably organized, which opposes armaments, whether they be under the independent control of nations, or directed by a central international instrumentality. This school (represented by the American Peace Society in the United States) desires to see the establishment of an international tribunal, without force-sanction behind it, and simultaneously the destruction of all national forces. The hope inspiring so radical a plan is this—that “public opinion” will prove to be a sufficient guarantee of the decrees of the forceless court. This, clearly, is the ultimate goal toward which men’s desires should run. It does not now seem at all practicable.

Having stated the general outline of peace plans, it remains to consider them somewhat in detail.

### *Limitation of Armaments*

Those who urge that nations shall agree to limit their armaments, without waiting for the establishment of effective international tribunals, usually present two arguments in favour of their proposal. First in importance in the minds of most of the proponents stands the question of economy. It is obviously wiser to spend only one dollar instead of two dollars on armaments, if we can so arrange that

the same relative security will be obtained from the lower expenditure as from the higher. Second, it is urged by many such partisans that large armaments tend to create war. It is thought that the "military class" excites itself in every country, and tries to excite its compatriots, to do the thing for which the class was created. The natural deduction is made that the larger this class, the greater will be its influence. Manufacturers of arms are supposed to be in league with the "jingo."

Taking these two positions together, it is declared that, if only the nations will agree upon armaments of given dimensions, all will participate in the benefits of lower preparedness costs, and likewise in lower war probabilities. Those who urge such a measure, independently of all other measures, do not oppose the establishment of an international tribunal. Very often, indeed, they are found working with those who specially advocate such tribunals. But they declare that the facility and simplicity of making treaty limitations of armaments should mark this as the first step toward a new order among the nations. Anything else, it is averred, must be admitted to be difficult and complicated, even though extremely desirable. "Let us first limit armaments," say the advocates of this plan, "and everything else will be easier thereafter. Men's minds will be set in the right direction. Limitation agreements will be a notice to thinking men throughout the world that 'militarism,' as a factor in world politics, is doomed to great diminishment, if not extinction."

This programme indeed makes instant appeal to all who would war against war. Yet, however specious and appealing may be the arguments in its

favour, we must judge them coolly and weigh them accurately.

The building of armaments is a part of a nation's competitive struggle with other nations. The making ready for war cannot be logically separated from the waging of war. A people engaged in building up organizations aimed at destruction are *potential belligerents*. *Belligerency is not a subject of agreement, but a subject of disagreement*. When we make of war, as we now do, a *judge* among sovereign nations, it roughly serves a purpose by measuring the relative spirit and efficiency of the contestants. These qualities must be manifested not only in the very shock of battle, but in the intelligence and thoroughness of preparation. So important are they as elements controlling the issue of war, that, despite the advantage given by numbers and by wealth, Fate has often awarded victory to the courage and genius of small nations prepared for war. When one reflects upon the uses to which armaments are put, can any philosopher suggest a principle of limitation which would be consistent with that use? Must not the soul of each people be left free to determine the extent of the sacrifices which it is willing to make in order to retain its place or to justify its ambitions in a war-governed world? Are not the geographical and strategic positions of existing sovereignties widely different in respect to the totality of reasonable war preparation, and also in respect to the relations which shall be established between land and sea forces? And is there not constant change in the estimate which each nation must make as to the probable requirement of force, whether for defending its territory or for pursuing its distant purposes? The

friends of to-day are possible enemies of to-morrow. Viewing each other in this light, can any nation accept a formula of limitation which, if faithfully applied, might leave it a victim to some unexpected alliance which would at once put out of balance those theoretical armament-ratios which had entered into the general formulae of limitation ?

Shall a rich nation, highly developed in metal manufacturing, restrain itself in deference to the weakness of some neighbouring nation, undeveloped industrially but supposedly predatory ? When contemplating that destruction of the lives and property of its citizens may to-morrow engage the whole force of a vigorous neighbour, can any state compound with the destroyer as to the defences which shall be prepared against the day of tragedy ? There is something quite fantastic in the idea that strength will *write* itself down to weakness ; that courage shall enter into an equation with timidity ; that intelligence shall cut down its stature to that of ignorance, in preparation for a contest in which force and courage and intelligence must give their *all*, as a price for maintaining the liberties and the declared rights of the nation.

The movement to limit armaments will almost certainly fail at the first effort to reduce the general statement into specific figures. But let us suppose that grave and foolish men will accomplish the fantastic task, and will have found, by unimaginable means, accepted ratios for limiting the prepared destructive capacity of every nation. In what units will this limitation be expressed ? Obviously, in the vast complex of mechanical appliances which constitute modern armaments, it will be impossible to

find *physical* terms sufficiently definite to serve the purpose. The experts of every nation are divided among themselves as to the relative values of the countless forms of destructive engines. For a given degree of estimated safety, the requirements of different nations vary widely in respect to the number and character of naval and land constructions. Statesmen, wandering through a maze of nautical and military terms, and through the confusion of diverse expert opinions, will inevitably turn, in the end, to the simple expedient of expressing their fantasy in terms of *money*. If at all possible to introduce drawing-room politeness and Christian self-restraint into the stern game of war and preparations for war, it will be accomplished by an agreement that each nation for a period of years is to spend not more than x, y, and z in money units respectively, for the maintenance and growth of their destructive plants. Let us suppose this miracle accomplished. Great Britain is to expend annually on her navy ten million pounds ; France, three hundred million francs ; Germany, four hundred million marks ; Italy, two hundred million lires ; and so on for the other sovereignties. Does the arrangement seem simple and effective ? It may appear to be so on the surface ; but, as a matter of fact, there is a force constantly at work which would soon set at naught all the painfully accurate compromises of our imaginary statesmen. That great force we call *Invention*. It labours without rest, performs all modern miracles. Is it not clear that the ink would scarce be dry upon limitation treaties ere it would be rumoured in London that in Kalamazoo or Kissingen there had been devised some new and devilish machine, surpassing in destructive

capacity anything theretofore known? And in Paris it would be whispered that in Manchester or Mannheim, Invention had produced an engine of such cunning design, that one pound expended in its construction would produce a death-roll which could not have been purchased for less than ten pounds when the treaties were made. Let the rumours be true or false, it matters not. Fear and suspicion would follow. Whether openly declared, or silently enacted, it would yet be determined that no nation could be bound by stipulations made in ignorance of devices menacing the national existence. Intrigue, suspicion, denunciation, confusion would enter the councils of every chancery. And the last state of our world, therefore, would be worse than the first. A quick resort to arms would seem to be the only escape from the trap which Invention, the spirit of our age, had laid for those who had acted on the false assumption that preparations for war can be held within the four walls of polite agreement. War breathes destruction and thrives by deceit. As a system, it cannot be established upon precepts of mutual conservation and of open dealings.

It remains to say a word about the so-called "naval holiday" scheme. Without waiting for the establishment of permanent ratios in armament expenditure, it was once proposed by an English statesman that, for a given year, the British and German naval budgets should be either suppressed or limited to specific amounts. A similar proposition, intended to be applicable to a number of nations, appeared in a resolution introduced into the House of Representatives of the United States. If anything at all can be accomplished in the way of limiting



armaments, it is probable that it must be done only by this haphazard method. The remote chance of success of any such effort arises from the fact that it does not profess to be part of a deliberated system. An action which may conform to the temporary moods of a tax-burdened people might be approvingly met by the similar mood of some other group bedevilled by its own difficult budget. But even if such a sporadic success should be attained, its good effects must be limited to the economies immediately realized. It would still be true that limitation of armaments cannot be erected into a *system*, while competitive force speaks the last word in international quarrels.

## CHAPTER IV

### “ COOLING-OFF ” TREATIES

TO-DAY nations discuss their quarrels through the words of their executives, their parliaments, their diplomats, their press, their pulpits, and their platforms. This discussion may be inspired by the inner circle which constitutes “ Government,” as a means of sparring for time. War may have been determined upon while peaceful adjustment is still made the theme of a thousand pronouncements. This procedure, however, may be taken as exceptional. In the earlier phases of discussion concerning “ strained foreign ” relations, it is usually the sincere desire of the great majority of participating statesmen to avoid armed conflict. And more particularly it may be averred that the general public, busy in counting-house, workshop, and farm, distinctly prefers to be left to these occupations. Of course, the voice of the jingo is heard in every land. Being unrestrained by official responsibility, he may, like Beelzebub, declare for open war, even earlier than the calculating statesmen who have been engineering the *casus belli*. In our day, however, the jingo is a vociferous minority. He is out of harmony with the body of his fellow-citizens until the virus of war excitement has gained control of the blood and reason of the public. When

this dread disease is at its height, the most devoted statesmanship may be impotent to lower the political temperature. Like many fevers that rack the body, it must “run its course.” A cause of doubtful virtue now becomes a sacred fetich of patriotism. The cooler heads on both sides must retire from the field, or, if continuing their delicate task of pacification, must bear the odious epithet of “traitor.” The courteous language of diplomacy becomes more and more abrupt. Rumbings of war are borne on every breeze. Finally, the lightning flashes.

To prevent this catastrophe, men propose commissions of inquiry, councils of conciliation, boards of arbitration, courts of judicial procedure. “Let us gain time,” they say, “let the fever subside, let us take counsel with our adversary ere the sun of peace go down. Thus, without firing a shot, we may gain our cause.”

Before discussing these various plans in detail, we note, as common to a considerable number of them, one important feature, one fatal defect.

*Each nation retains complete control of its own armaments. And, in the last analysis, each nation resorts to these arms in final assertion of its own interests.* Keeping these two conditions in mind, let us endeavour to determine how far the present international status may be ameliorated, by setting up mechanisms other than those now existing for the settlement of international disputes, but not diminishing in *any respect* the full sway of independent sovereignty.

If we have been correct in assuming that limitation of armaments, *as a system*, is unworkable, we may now remark that none of the proposed compromises

will bear fruit by way of *diminishing expenses of war preparation*. This very serious defect in our existing international relations must continue unabated *so long as competitive forces, independently controlled, constitute our court of last appeal*. Admitting this depressing fact, however, may we not hope that new, though not compulsive, mechanisms will diminish the *number of actual shocks of war* ?

The instrumentalities, of whatever particular nature, which are now proposed, are presumed to begin their functioning *when diplomacy has failed to make a peaceful settlement*. Let it be remembered that the diplomat speaks not his own words, but the mature deliberations of the highest executive authority in each nation. That executive power has taken counsel with the leaders of the people. It has inspired, and in turn been inspired by, the public temper. In many cases, the facts at issue have been thoroughly canvassed before the whole world. In other cases, some concealment of important conditions may have been practised by one or both governments, in the belief that such concealment was necessary to the protection of national interests.

Much is now being said in and out of parliaments concerning the need of absolutely open foreign relations. We shall return to this subject later. For the present, it is sufficient to say *that while war remains as the world's system for settling international disputes*, it will not be found possible that governments should always cry upon the house-top every fact bearing upon the possibilities of war. The point now to be borne in mind is that *inconclusive* instrumentalities are presumed to begin their operation after all the efforts of all the responsible administrators

of quarrelling governments have failed to make peaceful settlement of questions that have been publicly canvassed as fully as those responsible administrators believe to be practicable. Holding this statement in mind, we will now discuss a few cases, illustrating, on the one hand, threatening demands which have come suddenly and constitute the exceptions, and, on the other hand, cases illustrating the stresses which exist when “ diplomacy has failed,” after long-continued public discussion.

There had been comparatively little preparation in the public mind of either Great Britain or the United States when Mr. Cleveland demanded that the former power should arbitrate its dispute with Venezuela. Because there was finally an arbitration between the two original principals in this dissension, the whole case is often referred to as an example of the success of the principle of arbitration. But as between the two great powers, there was neither arbitration, nor, on the part of the United States, any indication of a possible consent to that course. Mr. Cleveland made of the Venezuelan controversy an extreme application of that vague American political principle known as the “ Monroe Doctrine,” and this principle he insisted upon unequivocally, to the great surprise, and, at first, to the consternation of the people of both countries. The Government of Great Britain, for reasons satisfactory to itself, accepted dictation from Mr. Cleveland, after denying the validity, as a principle of international law, of the doctrine upon which Mr. Cleveland’s action was founded. Diplomacy, in this case, neither succeeded nor failed, in the sense that diplomacy is usually defined. The American Government on the one

hand, and the British Government on the other, were in very direct communication, and as a matter of policy the latter Government decided to yield *entirely* to the former. Had there been any long-continued diplomatic negotiations, or had there been reference to any commission of inquiry, the question to be settled, as *between the two great powers*, was merely this—which of the two should, would, or could enforce its own view as to the method of settling quite another question then in dispute between a big power and a little one—namely, that of the respective “rights” (God save the mark !) of Great Britain and Venezuela to a strip of unsurveyed swamp land in South America. So far as the major question is concerned, no commission of inquiry could have found any new facts. The only facts relating to it were the determination of the American people, as represented by the government of the day, to insist upon a rather strained application of a policy purely national, and not binding any other government by treaty or general precept of international law. Concerning this point, the people of the United States might or might not have *accepted* advice, but no new light could have been thrown on the subject by any intervening body. War was avoided. This avoidance came because Great Britain was willing to yield to the demands of the United States. The case is presented here to illustrate the fact that *no new mechanisms are required, if any nation is willing to yield the point in dispute with another*. The importance of stating this rather too obvious fact lies in its further application.

Let us now take the quarrel between the United States and Spain which actually led to war. The gravamen of the American claim was substantially

this : Spain had failed to maintain order in Cuba. This disorder had imposed certain burdens upon the United States, which it was no longer willing to bear. Furthermore, while impotent to repress Cuban rebellion, the Spanish military forces had reduced thousands of Cuban citizens to starvation. The United States professed to be so much moved by their distress that it assumed to dictate to Spain, a sovereign power, what her course should be within territories in which her sovereignty had long been recognized by other nations, and disputed only by rebels.

Months of public discussion preceded the declaration of war. The facts of the rebellion had been known in general for a number of years. No new light was required concerning the filibustering expeditions of which complaint was made. The condition of the Cuban populace had been reported upon by hundreds of visiting Americans. Finally, a senator of great repute, old in years and honour, returned from a personal inspection of Cuban conditions. In solemn words he portrayed these conditions in the Senate of the United States. His message went to a people which had been excited some months before by the mysterious blowing up of the United States ship *Maine*.

Now let us consider what could have been done by further reference to any *inconclusive* body, not having power over two brawlers in the street. It would have been fatuous for any such body to review the long years of Cuban rebellion. It was well known that even the most expert examination of the hull of the *Maine* could go no further than to establish a probability as to whether the explosion was exterior

or interior. No evidence was available then, or has since been unearthed, which could by any possibility affirm or deny any connection of the *Spanish Government* with the great tragedy.

Now, concerning the starving people. There can be little doubt that the motives of many Americans were somewhat mixed, as the public mind surged toward war with Spain. But, while making allowance for a certain element of vanity and of commercial cupidity, it remains true, nevertheless, that the people were profoundly stirred by the stories of Cuban starvation. Their sympathy with the Cuban people in the political struggle, and their keener sympathy with those who were reported—men, women, and children—as dying of hunger, may have been said to have dominated other sentiments, and to have constituted the major inspiration that moved Congress and the President to final action. What would have become of these starving people if, *after diplomatic action had failed*, it had been necessary to organize a commission of inquiry, which should then, with due form, have heard the advocates of the two sovereign contestants? Days would have slipped into weeks, weeks into months, months perhaps into years, ere such a body could have judicially reviewed facts concerning which there was no dispute. Meanwhile the pangs of hunger have been relieved by death, and the dead have rotted in their shallow graves. Obviously, had this course been pursued, the United States would have substantially *yielded its contention* in permitting the delay incident to such a course. But it could have yielded its contention *at any moment*, and without a commission.

The American Minister at Madrid had said that,



with a little more time for negotiation, he believed a peaceful adjustment of the pending difficulties could have been reached. Nor does it seem impossible, on examination of the record, that an extension of the period of *diplomatic* negotiation might have had this result. But certainly the time that would have been required for the contesting Governments to present their case to a commission of inquiry, or to a council of conciliation, would have doomed the starving people to death. War might indeed have been avoided, *but the principal object of the American claims would have been lost.* The case required instant voluntary action by one or the other of the contestants.

Spain could have avoided war by instant grant of the American demands—a course not consonant with her sense of Spanish rights and Spanish honour. Those who are willing to adopt in full the principles of non-resistance ; those who are willing, in truth, to be guided by the Sermon on the Mount, need neither armies, nor diplomats, nor courts of conciliation, nor boards of arbitration. They have two cheeks—let both be stricken. They have two garments—let both be taken. Thus can peace be preserved.

But we may as well frankly recognize the fact that no nation, and only a negligible number of individuals, is controlled by the Sermon on the Mount. Those who like to preserve the theory of compliance with Christian doctrines, find ways of convincing themselves that they should be the champions, even through force, of that which they consider righteousness. Unfortunately, men differ radically as to what *is* righteous. We have cut each other's throats for a thousand and ten thousand years in upholding

diverse views of *justice*. The world's history offers scarcely an example of organized armies representing settled governments which bore on their banners, or in their hearts, any other inscription than this, "Our cause is a holy cause ; our enemy is fighting for the *wrong* ; we are fighting for the *right*."

We heartily reject the idea that a nation should submit to what it considers *unjust* treatment from another nation. We spurn, as of craven nature, those who, having any strength and capacity for fighting, fail to stand up for their own conceptions of right. The form of submission which has eventually been accepted and has won its victories, *within the boundaries of a nation*, is the submission to a common superior over two contestants—the justice-of-the-peace and the constable—instrumentalities created by ourselves over ourselves. When two groups, however, entertain opposite views of their interests, which they call their rights, and when those groups have not established over themselves the justice-of-the-peace and the constable, they then resort to violent conflict whenever the question in dispute is considered as one of grave importance, and when their negotiations with each other as equal sovereigns have failed to find a satisfactory compromise.

The formal adherence by one or both groups to any particular religious doctrines does not sensibly affect their conduct as competitors. We have recently seen the newly risen power of Japan acting in several wars with no more, *and no less*, consideration of self-abnegating principles than that exhibited by nations making formal profession of the doctrines called Christian.

The Russo-Japanese war may now be cited to

give further weight to our inquiry, as to whether or not forceless and inconclusive commissions or tribunals can reasonably be expected to diminish to any great extent the number of international conflicts.

The main facts are simply stated. Both Russia and Japan, acting through small numbers of men, constituting government for millions of others, had come to consider that the interests of their respective peoples would be subserved by the obtainment of special privilege, or complete sovereignty, in portions of Manchuria. Through a successful war with China, Japan had been able to seize and retain, so far as China was concerned, a certain promontory. Objection was made to this retention by the Governments of Russia, France, and Germany. Unable to make head against this formidable combination, Japan yielded what she considered as her right. Subsequently, Russia obtained from an impotent Chinese Government a ninety-nine years' lease of the same promontory, together with various privileges, rather vaguely expressed, affecting a considerable area back of the promontory. The lease contained verbal guarantees as to the rights of other nations, and as to the Chinese sovereignty. It soon became apparent, however, that the Russian Government gave practical interpretation to this lease, as though it had been a substantial transfer of sovereignty. Both by military and industrial activities, Russian control was becoming effective and exclusive. Against these activities the Japanese Government made vain protest. Russia had indeed begun to evacuate certain Manchurian territory, but failed to take subsequent steps for completing the evacuation, as required by her arrangements with China. A number of severe conditions

were stated by the Russian Government as those which must be met before evacuation could be completed. The Chinese Government refused these conditions. Meanwhile, Great Britain, the United States, and Japan had formally protested against the new Russian demands. Various desultory negotiations followed. In the interim, Russia increased her military and naval forces in the Far East. Again Japan protested, but with no result. In the estimation of the Japanese Government, diplomatic negotiations had now failed. This view was made known to the Russian Government, and two days later Port Arthur was attacked. What would have been the effect on February 6, 1904, when Japan gave the notice above mentioned, if any intervention of *inconclusive* instrumentalities had been *proposed*, or had been *required*, by previous treaties? From the Japanese point of view, delay meant defeat of her own pretensions. The continued strengthening of Russia's military position was the very crux of the dispute when Japan recalled her diplomatic representative from Petrograd. The Tokio Cabinet was as fully informed on the actual facts of the situation as any neutral body could have been. The only action which could square with those facts and with the fixed policy of the Japanese Government would have been a reversal by the Russian Government of its own determined line of action.

It might be urged that nations may be brought to agree that any one of them, upon the complaint of another nation, will cease to do the thing that has been alleged as hostile to the complainant, and await the result of an inquiry by some neutral body. It might be said that if such an agreement had been in

existence, Russia would in good faith have been required to put a stop to the things complained of by Japan. That, in turn, would have been an abandonment of Petrograd policy. Unfortunately, moreover, every thinking man knows that any blanket provision of this sort would be the subject of instant abuse by weak nations, who could thus prevent the reasonable exercise of their powers by stronger states in competition with them. Should there ever be an endeavour to write such a provision into international treaties, it will be expressed in such vague language, or will be hedged about with so many privileges, as to be substantially inoperative. Otherwise it will become a surrender of sovereignty in every important national effort, and would not be accompanied, in the cases now considered, by the guarantee of a decree, subsequently to be made and enforced by a common superior.

Taking account again of the particular case in Manchuria, the Russians held that delay in their plans would be as harmful to their ambitions as the corresponding delay in striking Port Arthur appeared to the Japanese Government. Furthermore, even if, on one or both sides, there should be a nominal acceptance of the proposal to preserve the *status quo*, or even to reverse previous action, there cannot be confidence on either side that the engagement is made in good faith, or that it will be executed in conformity with any mutually accepted understanding of the written conditions. It is substantially impossible to define the permitted activity, *ad interim*, either in military, industrial, or political lines clearly enough to put it beyond the possibility of disputed interpretation or of covert perversion. It is to be

remembered that in the plans which are now being examined, the dogs of war have not been *killed* by superior power, but are only *held in leash*, theoretically, during the assumed period of investigation and report. Consequently, it would be mere folly for one who may at any moment be thrown into the fatal conflict of war, to cease his preparations for that event when already, by presumption, war has been made a high probability.

Those who urge the efficacy of intervening with dilatory instrumentalities not empowered actually to prevent war, seem to leave out of proper account the following important consideration. For the most part, the causes which lead to an eventual break between two or more nations have been operative through months or years before that break occurred. Whether history records a verdict of intemperance and injustice against one or the other of the parties to great contests, it remains true that these contests have been preceded, in the usual case, by long periods of international irritation. The thunderbolt that splits the sky has been gathering electro-motive force long before its explosion. When the United States declared war against Mexico, it did that which has been condemned as unjust by many of its most illustrious citizens. Nevertheless, the allegations made in President Polk's Message to Congress recite years of continued maltreatment of Americans by Mexican citizens or officials. If the Washington administration at that time had been asked to show yet further patience, the reply would have been, "But we have been patient now for eight or ten years. In our great strength, we have been courteous and forbearing. No merely polite, or so-called

judicial, intervention will preserve the lives and property of Americans, unless that intervention be accompanied by a force which will restrain the wrong-doers from a course in which they persist as of right.” This position is now repeated, after an interval of seventy years. An American army has been sent into Mexico to avenge a long series of alleged wrongs culminating in a peculiarly lawless and tragical stroke. A sovereignty which could not ensure reasonable protection to foreigners on its own soil, or prevent murderous excursions upon neighbouring territory, was judged as being no longer to be trusted for negotiation in the usual way.

It would be possible to fill a volume larger than this with illustrations of a familiar fact—namely, that in many disputes, whether between nations or individuals, *mere delay* will actually constitute a *forfeiture of the claim of one* of the parties; and further, that mere delay is often *believed* to carry with it the forfeiture of the claims of *both* parties. Consequently, to admit delay beyond that which has usually preceded the failure of diplomatic relations, will be considered by one or both parties as a complete yielding of his contention.

It remains only to point out that a whole category of international irritants—namely, the rights and wrongs of neutrals and belligerents—fairly bristles with occasions in which *delay* may mean *surrender*. If these rights are to be preserved against direct or insidious destruction, they should be instantly and boldly insisted upon by any offended state having the power to *demand* a scrupulous recognition of its claims.

When war has ended, the wrong-doer, if previously

unchallenged, has already profited by his invasion of the rights of another. Even if *direct* damages to private interests be eventually collected (as in the case of the Geneva award), vast injuries to the state may remain without compensation. Moreover—and this is a most important consideration—the whole structure of International Law is weakened by delays in the enforcement of the rights in question during the war giving rise to the alleged wrongs.



## CHAPTER V

### LEAGUE TO ENFORCE PEACE

THE proposals heretofore discussed aim, generally, at delay secured by engagements to submit quarrels to some sort of examination before resorting to arms. That is the substance of the various "Hague Court" efforts, and of the Wilson-Bryan cooling-off treaties. But, after considering these, men said, "Suppose that the states, even though promising not to fight before submitting to investigation, should nevertheless break their word—or that, even if they do not actually make war, they should commit 'acts of hostility' against an adversary—what are you going to do about it?"

An answer to this awkward question is attempted by the League to Enforce Peace.

This League, being headed by an ex-President of the United States, and having in its membership a considerable number of distinguished citizens in that country, and having advocates of distinction in Great Britain, it seems best to give special consideration to its programme. That programme is expressed in the following terms:

*First.*—All justiciable questions arising between the signatory powers, not settled by negotiations, shall, subject

to the limitations of treaties, be submitted to a judicial tribunal for hearing and judgement, both upon the merits and upon any issue as to its jurisdiction of the question.

*Second.*—All other questions arising between the signatories and not settled by negotiation, shall be submitted to a council of conciliation for hearing, consideration, and recommendation.

*Third.*—The signatory powers shall jointly use forthwith both their economic and military forces against any one of their number that goes to war, or commits acts of hostility, against another of the signatories before any question arising shall be submitted as provided in the foregoing.

*Fourth.*—Conferences between the signatory powers shall be held from time to time to formulate and codify rules of international law, which, unless some signatory shall signify its dissent within a stated period, shall thereafter govern in the decisions of the Judicial Tribunal mentioned in Article One.

Concerning this programme President Lowell, of Harvard University, writes as follows :

The kernel of the proposal, the feature in which it differs from other plans, lies in the third point, obliging all the members of the league to declare war on any member violating the pact of peace. This is the provision that provokes both adherence and opposition ; and at first it certainly gives one a shock that a people should be asked to pledge itself to go to war over a quarrel which is not of its making, in which it has no interest, and in which it may believe that substantial justice lies on the other side. . . .

The proposal for a league to enforce peace does not conflict with plans to go farther, to enforce justice among nations by compelling compliance with the decisions of a tribunal by diplomatic, economic, or military pressure. Nor, on the other hand, does it imply any such action, or interfere with the independence or sovereignty of states except in this one respect, that it would prohibit any member, before submitting its claims to arbitration, from making war upon another on

pain of finding itself at war with all the rest. The proposal is only a suggestion, defective probably, crude certainly, but if, in spite of that, it is the most promising plan for maintaining peace now brought forward, it merits sympathetic consideration both here and abroad.

Following President Lowell in the emphasis he places upon the third proposition, we will confine our criticism to that plank, the fighting plank.

The others are formal expressions of propositions already discussed.

It is clear that our first inquiry must be directed to the process by which all signatories save one—the culprit—are to find themselves in agreement concerning the commission of acts of hostility. Is there to be an international council determining this delicate point? Or is there to be an operation of the Holy Spirit ensuring unanimity where in the past we have known only disagreement? In public utterances Mr. Taft has said that no council was thought necessary for this purpose. Other leaders in the League have ventured to hold a different language. They doubtless remember, what Mr. Taft seems to have forgotten—namely, that we have cut each other's throats for a thousand and for ten thousand years in expressing differences of opinion as to what are "acts of hostility." We make war against our neighbour, and he against us, each stoutly alleging that acts of hostility have been committed by the other.

Spain could not see that she was committing an act of hostility against the United States, by trying to suppress rebellion in Cuba. But Americans held the contrary.

Kruger was convinced that the Jameson raid was

a hostile act, directed by Great Britain against his country. The British said it was a regrettable private venture.

Then the refusal of Kruger's people to conform their naturalization laws to Mr. Chamberlain's views was alleged as a Boer "hostility" to British interests. The Boers answered that it was not—and that they were acting within the most fully recognized field of sovereignty.

Serbia denied that failure to repress the pan-Serb propaganda among her people was an "act of hostility" toward Austria. But Austria believed otherwise.

Russia denied that the building of fortifications and the planting of colonists in Manchuria was an act of hostility toward Japan. But the Japanese insisted to the contrary, and bore with it—as they thought, very patiently—until patience ceased to be a virtue.

Indeed the elements of *time* and of *degree* enter largely into the question of whether or not a given course of action shall be called hostile.

Let us suppose the improbable case of agreement among many independent units, independently armed, as to the hostile character of another nation's acts, *if long continued* and carried to some extreme development—yet must we not recognize the fact that to some it will appear that a week is *long*, and to others that a year is *short*?

Suppose another South African case should be presented to the world after the formation of a League based on this programme. Either party might, at *any* stage of such proceedings as occurred during the two years prior to the real war, declare

that the other had committed "acts of hostility." Is it to be presumed that it would be possible to bring all the world—or even all the dominant powers—to agree, first, upon the culprit; and second, upon the moment when his perversity had become hostility?

It will not be necessary to extend comment on the League's "crude" plan. In the succeeding chapter we review another programme in which detail is worked out on lines suggested in the American proposal. This development of detail discovers all the virtues, and removes, as far as possible, all the faults of the general conception of using *national* forces for *international* purposes.

If the structure we are now about to examine cannot stand, we may be sure to find the League's platform entirely covered by the fallen debris.

## NOTE

### ORDEAL BY BATTLE

The period when private arms were permitted to settle disputes in ordeal of battle is suggested by President Lowell of Harvard University as an analogue to a period now opening, he thinks, when nations will still fight for the last issue, though joined together by the loose bond proposed in this platform. He seems to consider it impracticable now to organize central power, because the nations have not yet passed through the phase of relationship indicated by the "ordeal" stage.

The comparison seems faulty.

The strange contests to which he alludes were a product of theology—almost of witchcraft—rather than of what we would now designate as modern statecraft.

The swollen belly of the woman charged with adultery, as it appears in the fifth chapter of the Book of Numbers, must be recognized as the early progenitor of the mailed knight prepared for his ordeal. A wide variety of similar tests intervened between the two in Aryan history. Their congeners are still to be found in Africa. All are inspired by the belief that a god of some sort will determine the action of poisons or of arms when certain incantations have been made, certain ceremonies performed, certain authority given.

These conditions being fulfilled, it mattered little about minor

details, such as the strength of the combatant or the length of his sword.

The charm must infallibly give victory to innocence. It would produce one chemical reaction in the stomach of a guilty woman, and quite another in that of her strait-laced sister.

It would work even if the principals appeared only by representation—as when women and priests, in England, were thus judged by the success or failure of their proxies in battle.

Must we go through this stage also ? Are there ladylike nations and clerical nations who will send champions to the field, where neither generals nor soldiers nor cannon will play other rôle than that of mummers through whom the God shall speak ?

Verily, if we are in such bad state as Professor Lowell would present us, then, woe betide us !

In fact, the nations have gone through the period when the invisible tribunals of superstition delivered their decrees. If we are not yet ready for true judgement (perhaps we are not) yet are we freed from the childish servitude in which flourished the ordeal by battle.

## CHAPTER VI

### FABIAN SOCIETY PLAN

AN important contribution to our general subject has recently appeared in a work by Mr. L. S. Woolf, writing as the spokesman of the Fabian Research Department.

At a single bound, the English reformers leave far behind them President Lowell's timid (perhaps, true) statement made in his apologia for the programme of the League to Enforce Peace :

It will be observed that the members of the League are not to bind themselves to enforce the decision of the tribunal or the award of the council of conciliation. That may come in the remote future, but it is no part of this proposal. . . . The proposal goes no further than obliging all the members to prevent by threat of armed intervention a breach of the public peace before the matter in dispute has been submitted to arbitration.

The difficulties involved in a programme which tried to provide *joint* action without sacrificing individual action have already been indicated.

The framers of the plan presented by Mr. Woolf evidently appreciate many of those difficulties, and boldly propose mechanisms which President Lowell relegated to the "remote future." The advance is

very notable. Great ingenuity is shown in trying to conciliate our nationalistic prejudices with our peace-proclivities. Countless rearrangements of courts, councils, and the like, are within everybody's capacity. But no one, we venture to think, will make a better effort to accomplish the impossible in peace-mechanisms than has been made by the Fabian Society.

The central bodies seem unnecessarily complicated—but they are given far more reach than was thought possible by the American group. There remains a radical difference between this super-national organization and that which makes a nation. No force is lodged in the so-called higher authority, while governments presumably subordinate to that authority are armed *ad libitum*, and specifically insist upon the right to competitive use of these arms in all really grave cases.

As in the programme of the League to Enforce Peace, there are two tribunals—one called a High Court, the other a Council of Conciliation. To the latter go non-justiciable questions; to the former, justiciable disputes. An attempt is made to distinguish these two categories. States may at once reject the findings of the Council on the graver questions of policy submitted to it. If they do—war may follow within a year from the date of submission.

While this Council *hears* the reserved questions, it determines nothing. On the other hand, the High Court is given power to make final decisions of justiciable questions submitted to it. Moreover, it may, when acting in regard to such questions, “enjoin any state, whether or not a party to the case, to refrain from taking any specified positive action, or



to discontinue any specified positive action already begun, or to cause to be discontinued any specified action begun by any person, company, or subordinate administration within or belonging to such state, which, in the judgement of the Court, is designed or intended or may reasonably be expected to change the *status quo* with regard to the question at issue before the Court, or seriously to injure any of the parties to the case.”

Any such injunction shall be enforceable in the same way as a judgement of the Court.

Here indeed is a surrender of sovereignty—illimitable in its scope. Nearly any important act of any State may be conscientiously construed by the Court as affecting the *status quo* or “injuring another State.” In the scheme proposed, competitive national armaments are retained. Would the vigorous prosecution or hastening of a “preparedness” programme, after institution of an international trial, be taken as changing the *status quo* or injuring one of the parties? It certainly *might* be thus taken, and hence might be enjoined. Night-shifts in navy yards, new commercial tariffs, alliances with any other powers—all these may be prohibited to “A” by reason of a presentation by “B” of claims against “C.” Nor would this result flow from a fantastic stretching of the text of Sect. 14, just cited. We may easily conceive Japan and Mexico as involved in a dispute whose settlement might be considered by Washington as vitally affecting American “interests”—perhaps “honour” as well. If, in such a crisis, the United States were relatively weak in armament, it might find itself condemned to remain so, while pleadings went through the tangled procedure of

High Court and Council. It would be, if enjoined therefrom, unable to prepare for the conflict in arms which is so jealously reserved, and which, being reserved, is so inevitable if any interested State finds itself relatively strong when urging its policies against another state relatively weak. And it is to be remembered that the handicap just indicated might befall one of a group of nations *all of which are strictly* adhering to the proposed engagements. The wages of loyalty would be—defeat.

One may answer that there is little probability of such unjust action on the part of the Court. Let us grant that position. Then, its corollary is this, that nothing in the new arrangements would specifically check, or *tend* to check, the existing high-pressure competition in armaments, or the temptation to use armaments in the most favourable moment. Inexorably we are confronted, as in our previous discussions of delay-processes, by the ghost that will not down—the evil spirit which whispers, “What is our enemy doing while we wait? We have set up courts, but we have kept our several swords, and declared that to no other power than that of the sword will we submit grave questions of honour or of interest for final settlement. Into that bloody arbitrament we must throw all we have of force—of force *prepared*. Let no man dare to shackle us in preparation, in hastening toward battle, when the hour smiles upon us.

“There being no power *over* us; there being no arms save those that are independently controlled by our friends, our enemies, and ourselves; there being no other final guaranty of security than the ancient one—then must we break these green-withes with

which we permitted ourselves to be bound—then must we slay the Philistines as beforetime, with all the strength, and all the cunning that our God may grant us ! ”

But let us now see how a judgement (or injunction) of the Court is to be “ enforced.”

In the event of non-compliance with any decision or decree or injunction of the International High Court, or of non-payment of the damages, compensation, or fine within the time specified for such payment, the Court may decree execution, and may call upon the constituent states, or upon some or any of them, to put in operation, after duly published notice, for such period and under such conditions as may be arranged, any or all of the following sanctions, viz. :

Then follow paragraphs containing various embargo and non-intercourse measures ; finally we come to a requirement that the state (or states) called upon to enforce the Court’s decree must “ furnish a contingent of war-ships to maintain a combined blockade of one or more of the ports, or of the whole coast-line of the recalcitrant state.”

Should the recalcitrant state resist any such measures directed against it, the constituent states agree “ to enforce the orders of the International High Court, *by any warlike operations that may for the purpose be deemed necessary.*” The disobedient state may be presumed to contemplate military resistance when it has gone so far as to incur any of the paralysing procedures supposed to precede the final war of cannon. Our argument, therefore, may be addressed to the last and inclusive measure, without special discussion of the steadily increasing thumb-screw pressure leading up to it.

Substantially, then, we have *war*, made by

“sovereign” states at the command of an external authority; provided any governments respond to the call of the Court to enforce its decrees—that is to say, provided the mechanism works as planned.

This, again, is a surrender to central power, which, in principle, is approved by most men who believe that tranquillity must be bought with a price. That such a surrender will be obtained from independently armed governments is not believed practicable by the author of these pages. The menace of final competition in force with one’s own enemies will debilitate a first movement toward compliance with the Court’s call for force. Suppose “A” (Argentina?) is the recalcitrant—“B” (Brazil?) is ordered to make war upon “A.” Meanwhile “B” is engaged in a bitter controversy with “C” (Chile?). To obey the Court is to run the enormous risk of being attacked by “C”; if not immediately, yet at the end of a year’s delay. The situation indicated might befall, while both “B” and “C” were *loyally playing the game according to the rules*.

Again we see that the wages of honesty may be death. ’Twere better not to place such a handicap upon virtue.

Thus each nation finds that, while it is still left to fight its own battles of interest, as is now the custom, it has taken on a new responsibility, and subjected itself to new risks. In the case just mentioned “B” would be engaged in war, simultaneously with “A” and with “C,” though, in their normal relationship, there may be nothing to produce friction between “A” and “B.”

Difficulty of another kind is presented when a fully prepared state eagerly welcomes an occasion to serve the Court. Its armies are in leash. To reach

the culprit, it must march across intervening territories of other sovereignties. "Will it be safe," asks the power whose lands must be crossed, "to permit these foreign hosts, armies of a not too friendly neighbour, to make war across my country, perhaps within its borders?"

Those who recall the zeal of Alexander, Russia's Czar, to put his troops at the disposal of a religiously united Europe, and the killing coolness with which his offers were received, will admit that the suggested difficulty is real—not merely contentious or fantastic. Here again we find discomfiture awaiting sincerity. "A" enters "B's" territory to reach "C," the indicated recalcitrant. Meantime he lodges complaint before the Council against "B," on some ground involving "honour, or interests, etc., etc." According to the last paragraph of Sect. 17, "B" must help "A" against "C." Whether this requirement would be suspended as between states engaged before the Council and likely to fight at the end of a year—*non constat*. But in any case "A" is free to make peace with "B"; certainly, if the latter has consented to obey the Court's order; probably, even if he has not. In one way or another peace *may* be made between the two within the year of delay imposed upon "A," or the latter may be strong enough to fight both "B" and "C" at the same time. "A" being in no way restrained therefrom by any technical obligation now declares war on "B." He has been saved all the trouble of forcing an entrance into the house which he wishes to attack—nay, the owner of that house has been required to receive him, to aid and comfort him.

Let us see this case illustrated by the use of

familiar names. Thus, the Court has ordered Italy to do, or not to do, something. The order is not obeyed—whether through contumacious resistance of a united Government, or because factional disturbance stands in the way. Russian troops are ordered to enforce the decree. They march across Austria. At an opportune moment Russia starts proceedings against Austria, or, *vice versa*, Austria enters her case first. From that moment—if not before—the two powers are mutually “suspects.” But they conscientiously follow the code. If Russia, after concluding peace with Italy, then makes an alliance with that Government, or France, or has one already existent with the former, her troops, though far from home, are not deprived of a base for military operations against Austria. Her ships are in Italian ports. In five hours after the declaration of war they are bombarding or blockading Trieste. In twelve hours her punitive army is in touch with allied forces—Austria has been seriously handicapped. Or, *per contra*, if the Russian expedition is cut off from its base without allies, it may be that Austria has secured an advantage. The punitive army is interned in Italy. But the Court may now “enjoin” one of the parties from seeking profit out of the fidelity of another? And a fourth party will be ordered to enforce this injunction? Perhaps so, perhaps the world will indeed live over again the sophomoric experiment of 1815. Perhaps—for we are but grown-up children—great states will try to eat their sovereignty and have it too.

No man knows how far and how long we may be sent to wander in the wilderness of unreason ere we reach the promised land of common sense. Better the

open and armed independence of to-day, with its occasional wars, than an armed interdependence which shudders at the thought of a diminished sovereignty, while seeking a tranquillity that has never been obtained save through *subordination* of several to one. These intricate compromises are not "peace-at-any-price" undertakings; rather are they ventures for "peace-without-price." One of these formulae leads to slavery; the other leads nowhere—it merely makes a giddy loop in our present course.

Perhaps we are quite unwilling, as yet, to submit our international quarrels for final determination to a competent tribunal. If so, let us not confuse the situation by fallacious show of central authority—forceless, in the midst of intractable and armed sovereigns, boldly refusing subordination to a tribunal, even of their own creation.

While the Fabian Society plan seems thus to lack elements considered by the author as fundamental, it will be interesting to pursue further a survey of the excellent workmanship shown in details.

Justiciable disputes are defined under eight headings. One of these is an "omnibus" clause covering *any* question which may be submitted by express agreement of all the parties to the case.

Unless a question is determined as falling within the specific definitions of "justiciable," it is presumed to be "non-justiciable"; as such, it normally goes to the International Council instead of the High Court. It is the latter body which finally determines questions of jurisdiction. No ingenuity could prevent confusion in this matter. But the provisions

before us seem to invite certain trouble. "Territorial integrity" is reserved as one of the non-justiciable questions over which war may be waged, after an indicated inquiry and report; at the same time one of the "justiciable" headings reads as follows:

(d) Any question as to the title, by agreement, prescription or occupation, to the sovereignty of any place or district.

and following it is:

(e) Any question as to the demarcation of any part of any national boundary.

Reading these three signboards, "territorial integrity" indicating one tribunal, and the other two indicating another tribunal, one concludes that, while the Fabian Society may be classically cautious in other matters, it has youthful exuberance of spirit when planning pitfalls for the High Court.

A most vexatious puzzle is presented in Sect. 4, which is headed, "Covenant against War except as a Final Resource."

The first section binds constituent states to submit *all* disputes to one tribunal or the other, and to refrain from declaring war, mobilizing, beginning military or naval operations of the nature of war, violating the territory or attacking the ships of another state (unless to repel attack)—until submission of the dispute, "and until after the expiration of one year from the date of such submission."

The next section reads as follows:

On the other hand, no Constituent State shall, after submission of the matter at issue to the International Council and after the expiration of the specified time, be precluded from taking any action, even to the point of going to war, in defence of its own honour or interests, as regards any issues which are



not justiciable within the definition laid down by those Articles, and which affect either its independent sovereignty or its territorial integrity, or require any change in its internal laws, and with regard to which no settlement acceptable to itself has been arrived at.

Is there in this language a presumption that no question of "honour or interests as regards, etc.," *can* arise from the "justiciable" disputes? Or, is it presumed that national honour *may* be involved in such issues, but that, theoretically, it is to be saved by blood only in *certain* contingencies, and must be smirched by ink in certain others?

Obviously the *interests* of a state are involved in the interpretation of treaties, and the interpretation of international law which, together with the territorial questions specifically cited above, are classed as "justiciable." The conjunction of "honour" with "interests" in Sect. 4 lends colour to the thought that *both* may be found wrapped in the tangled threads which the Court is to unravel by decrees of *final* judgement in justiciable cases. Those who share the views espoused in these pages will find no fault with this complete surrender to central authority in some ill-defined cases. They will only oppose the reservation of "honour or interests" in other ill-defined cases, and they will insist upon the fallacious character of the sanction for its decrees given to the High Court by armed states, still jealous to preserve the sovereign right of war in all matters of first importance.

It will be doubted that acceptable delimitations can be made by *any* tribunal between the honour and interests which may be defended in arms, and those which are, in theory, submitted for *final* settlement by peaceful means. In his comments on the

proposed Articles, Mr. Woolf says: "Each state even remains quite free to go to war, in the last resort, if the dispute in which it is engaged proves intractable. Moreover, national disarmament—to which at this moment no state will even dream of taking the smallest step—is left to come about of itself, just as the individual carrying of arms falls silently into desuetude as, and where, fears of aggression die down before the rule of the law."

Are we to infer from this that even a "justiciable" question may become "intractable," and be settled by war, under the rules? Such is not the plain reading of the text—but this question is unimportant, viewing the fact that the freedom to prepare and to use arms for the bigger quarrels leaves the world where it is—plus a complicated machine, whose workings will be fertile in producing misunderstandings, and sterile in exercising direct force to quiet its own turmoils.

A specious parallel between the actual disappearance of private arms and the anticipated abolition of national armaments is suggested by Mr. Woolf in the paragraph quoted above. The frequency with which this thought recurs in international literature has gained for it a sort of currency such as may be enjoyed by gold and alloy alike.

Private arms have disappeared *where centralized arms are available for the enforcement of order*. They have yielded to organization; to organization of force; to such orderly use of force as eventually gives the citizen tranquillity and security combined. Does Mr. Woolf imagine that he would be walking down Piccadilly unarmed if there were no police in London? We have never seen the successful development of

any state, in which was exemplified the relationship among private men that is proposed for nations by the Fabian Society—namely, an organization of men, armed as they choose, declaring themselves complete sovereigns on earth, and refusing any direct central force even to that authority which they establish for the settlement of some of their quarrels.

The familiar process is quite different. A central authority makes use of a central force in restraint of private force—and of private armament. In another stage private armament may be outlawed, and the exercise of private violence restricted to the instant repelling of unlawful attack upon life or property. All these results suppose central force competent to repress competitive struggles of violence among individuals or groups. Using collective (centralized) force, it must protect the orderly man and punish the disorderly—otherwise all bear arms.

Mr. Woolf says: “No impairment of *sovereignty* and no *sacrifice* of *independence* are proposed.” The two principal substantives in this sentence unhappily represent no clearly defined ideas. Yet truly it is beating soft words into jelly when we are told that states against which the High Court may fulminate injunctions enforceable by destructive sanctions have lost *nothing* of sovereignty or independence.

True, there is a casuistry which may defend such a distortion of definitions. One may say that only a sovereign could make such an agreement, and that any agreement, *freely* made, does not curtail sovereignty, though it imposes restraints unknown before. Men have sold, or otherwise placed, themselves in a state of slavery. Shall we say that such men are in fact *free*, because they were not coerced into

slavery ? We may play with words. But, again, the dispute is vain. Men have attained the *security* of ordered society by sacrificing a kind of savage freedom which recognized no master other than a loose authority, easily evaded.

When discontented elements of any society may move with relative ease out of reach of punishment, there will be small regard for central authority.

The supposed facility of migration must be great enough to cover groups, rather than individuals, if it is largely to interfere with social growth. Sentimental attachment to particular persons may confine a man to one locality as effectually as though he were held by practical considerations of food-supply.

Revolt against tribal chief or council becomes an important centrifugal force only when husband and wife and children and friends—a little social unit—may exile themselves together from tribal vicinages, unchecked by grave fear of famine or attack in the new surroundings. Thus departing, new centres of habitation are fixed, whence new departures may later occur. Whether the impulse leading toward an exodus be one thing or another, the general rule remains the same. Movement will take place only in proportion to the prospect of finding satisfactions in strange lands which are denied in ancient seats. Economic, political, or religious pressure ; fear of punishment for ordinary crimes, and mere love of adventure—these are the motives which have populated the earth. In each case there is the endeavour to escape from certain restraints that have become hateful. There is a seeking after liberty.

Now when the Earth was but scantily held by man, these successful evasions from established

authority were numerous and important. They affected private characters and public institutions. They emphasized the conceptions of individual right, while they held in check the estimation in which men held the co-ordinations of conduct required for the development of art, science, and literature. Relative freedom of life-sustaining land has mitigated tyranny, and has undermined authority; it has stimulated boldness, and has discouraged discipline.

When the attainable has its horizons narrowly fixed; when the far-leading trail has become perilous for the family and fascinating only for the explorer—then men learn that in their own minds are fertile fields; that ideas are the biggest game they can catch; that invention is the great snarer of Nature's wealthful secrets—and that social needs, social sympathies, and social rewards are the greatest inspiration to invention. Concurrently we learn that the work of invention is endangered by insistence upon the right *to use violence*. We learn that this elementary and precious life-preserving process becomes life-destructive if retained in regions where density of population at once requires limitations of independent action and permits protection of non-combatant individuals by organized force.

Eventually these become nearly the whole of society. We, the body of the people, then have no freedom left (nor do we desire more) than that of having a voice in the selection of those who shall make laws and enforcements of laws for us and our neighbours, and the alternate freedom of revolutions when we count our ills of government as unendurable. States cannot miraculously enjoy the benefits of an ordered "society of states," while clinging to the

perfect sovereignty and independence which exists now—tempered only by *fear* of competitive blows from another. The new fear must be that of a central force backing a central judgement.

And if sovereignty has *not* been “impaired” by the creation of a tribunal having such nominal power as appears in the Articles, are we to suppose that this sovereignty, this perfect independence, will express itself, when it wills, in defiance of the High Court?

The cost of punitive measures undertaken against any state is to be borne wholly by the culprit, if the High Court’s “levy” for that purpose can be collected. It is easy to imagine a case in which the inhabitants of a country whose government had fallen under the ban of the Court would be crushed beyond recovery by the cumulative effect of a penalty, fixed for original transgression, plus the sum of bills rendered by the agents of the Court for applying coercion. What may appear in these bills as reparation for the loss of life? Who will check the claims presented by the policeman state in favour of its own nationals? This mandatory, but probably, unworkable provision results from the fact that the central authority has no general treasury fund—a most embarrassing position for a quasi-sovereign.

It is possible that the embarrassment here indicated might never occur, since the states commanded by the Court to punish the recalcitrant might refuse to furnish the sinews of war, either through contumacious resistances to a forceless body, or on the supposition that it would be impossible, under actual circumstances, to recover costs from the culprit.

This question of refusal to obey the process of

a Court which possesses no force-authority, either directly or through a co-ordinate branch of the organism to which it belongs (as in the case of the United States Supreme Court), is one of fundamental difficulty.

It is presented by every compromise plan which avoids a radical solution of the International problem because of the supposed unwillingness of nations to create a true sovereignty over themselves.

At the same time they are presumed to show in their relations to the Court a docility unknown in the precedents of intra-state organization. The singular spectacle is presented of great states, armed *cap-à-pie*, sacrificing, in quarrels not their own, the lives and property of their citizens at the behest of a body whose determinations of their own affairs they will not accept. *Honour* or *interests*, when involved in questions of sovereignty, territorial integrity, or domestic laws, are reserved—yet the same vapoury substances may be equally involved in decrees or injunctions, which all are to accept—or, failing this, some are to make war upon others who may be defending “honour or interests” imperilled by the High Court’s orders. Surely this is blowing hot and cold. Surely out of all this maze would come blundering, equivocation, suspicion, and reversion to our present primitive methods. Mr. Canning frankly preferred the status of “Every nation for itself, and God for all of us” to the sincere but maudlin love-in-a-cottage proposition of the Holy Alliance.

That proposition was almost formless, yet the central thought was the same as in all other plans which leave independent sovereigns armed at will, and then hope to summon durable peace out of the

vast deeps of human emotion, without the aid of centralized force.

To the jelly-fish body of the Holy Alliance the Fabian Society has given ingenious shaping in a hundred details; but it has not put a spine in the back, teeth in the mouth, or weapons in the hands of the supernational organism which is to control such evil spirits as are now plying their trade in Europe.

Further complications which seem unimportant and unnecessary appear in the relations between High Court and Council and in the subdivisions of both these bodies. Detailed criticism of these matters will not be attempted. The chief charge brought against them is that of intricacy. Obviously there are endless permutations and combinations possible in respect to numbers and duties of members of the two related tribunals. If the right *general principle* appeared in any given plan, wide variation of detail would be permissible without seriously affecting the result. Without such a principle, the refinement of checks and balances seems "love's labour lost."

It remains to consider one other cardinal point of weakness inherent in all the proposals which stop short of substituting centralized force for competitive forces. Not only is war-making left to individual States, as at present, but also *peace-making* is quite uncontrolled.

If the importance of this subject has been realized, that fact does not appear. It stands a lion in the path, and no signboard to indicate his presence.

In the Fabian Society's plan there is indeed a provision for registry and publication of *all treaties*. The terms of these agreements, however, are left entirely to the parties making them. That means,



in the case of peace treaties, that the will of the conqueror may be imposed upon the conquered. To what extent? So far as the tentative Articles indicate, a sovereign state, having staked its independence on war, may entirely lose that independence by war. It may be annexed by the victor, its former government being utterly destroyed from the face of the earth. Such is the hard rule of to-day.

In the Constitution which we now discuss wars of three classes are clearly recognized: those between constituent states waged for "honour and interests" sake; those between punitive agents and recalcitrant states; and those between constituent states and powers outside the Union.

In respect to the making of peace terms, these various wars are not distinguished one from the other. Any one of them may deliver a people, bound and gagged, into the hands of a hated and hating conqueror. It is familiar history that, from wars of any kind the most unexpected situations arise. New issues may even obscure those pursued when the contest began. And, at the end of hostilities, all the complications demand settlement by *some authority*. As the various compromise plans provide no new control for that purpose, it follows that, as at present, all problems presented by war will be determined by the will of the victor, tempered only by the jealousies of onlooking nations. Territory will be annexed, colonies transferred, trade preferences established, thrones filled or vacated, new states or new governments recognized, armament limitations attempted—indeed, the whole range of political reconstruction or political destruction may, in peace treaties, be undertaken by a victorious nation in conformity with

the Fabian Society's Articles—nay, even when acting as the very *agent* of the New Order. Such treaties are but the eggs from which new wars are hatched. How young is our world that we should beguile ourselves with idle changes of form ! Are we savages that we should worship, as a powerful Peace Ju-Ju, a paper constitution fixed to the points of rival swords ?

Is it not clear that the very relationship of a state with the Union—hence in great measure the Union itself—is left to the mercy of a powerful and victorious army emerging from any one of these legitimate conflicts ?

The organization thus conceived seems to provide instruments for its own destruction—a sort of prenatal hari-kari. And yet—the pity of it !—we may solemnly enact this code of competitive violence into an International Statute, and hail it as opening a new era of peace ! Mother Nature mitigates her harshness by giving hasheesh to her suffering children, or by deceiving them with mirages. So, for a time, we may cry “Peace,” where there is no peace.

## CHAPTER VII

### JUSTICIABLE AND NON-JUSTICIABLE CAUSES

CRITICISM of various peace proposals has been directed up to this point against the lack of a central sanctioning force, and against the retention of independent national armaments. It has been seen that, by reason of these features, we do not accomplish the following necessary aims :

(a) To enforce the appearance in Court of armed adversaries, threatening war.

(b) To enforce the observance of decrees given in any international quarrel, supposing its submission, by general or special agreement, to an arbitration board, board of conciliation, or other tribunal under any name whatever.

Some of these plans contain two other provisions, which also invite examination. They are (a) the division of international disputes into those called "justiciable" and those called "non-justiciable"; and (b) another division, between disputes concerning questions of "territory, honour, and vital interest" on the one hand, and those which do not raise such questions on the other. The second topic is treated in another chapter.

Respecting the first division, a definition of a "justiciable" dispute, as made by those who venture to use this term, runs substantially as follows: "A

justiciable dispute is one which may be settled by the principles of international law or equity, or by the interpretation of treaties claimed to be violated." And, *per contra*, all other disputes are termed non-justiciable. They grow out of national policies not constituting any part of the recognized law of nations and are not expressed in any formal treaty.

It is thought by many peace advocates that these distinctions can be made with reasonable certainty. And it is further urged that, when thus made, these two classes of disputes should be passed upon by bodies distinct in organization, and indeed made up of men of different types. In the United States Senate treaties involving these expressions were under discussion during Mr. Taft's term as President. It was held by some of the most experienced internationalists in that body that, in practice, the making of such distinctions would be enormously difficult or impossible. It was seen that some definition of the word "justiciable," as applied to international affairs, must appear in, or be imputed to, any treaty using a word heretofore foreign to international nomenclature. It was held by the advocates of the treaties that the definition above given would be inferred by any tribunal called upon to interpret the word "justiciable." But the question immediately arose as to how the word "equity" would be interpreted in international disputes. That word has come to have a fairly well defined significance, as used in English and American law. It is not so familiar in other codes. In the practice of English and American courts it comes very near to take the place of "non-justiciable," as that term appears in the proposed international instruments. Equity

practice was intended to so extend the determination of disputes by government agencies, that no citizen would be tempted to resort to violence as a remedy for wrongs which seemed not to be touched by the existing code of well-recognized law. Obviously, if this sense of the word be admitted into the definition of "justiciable" disputes, we inevitably create a twilight zone, in which policies and rights would be continually buffeting each other. If questions of nice distinction in the application of unfamiliar terms must first be settled before we know what tribunal shall take jurisdiction of an international quarrel, then we must foresee an aggravation of the evil of delay which has already been pointed out.

Nor would the ground be much firmer in respect to questions alleged to arise out of the stipulations of treaties. The term "most favoured nation," and the ominous expression concerning "peace and amity" which are for ever to exist between the high contracting parties, would, among many others, breed dissensions of grievous character concerning the proper jurisdiction of a given case.

The body of so-called international law is wounded almost unto death by every great war. For that vague code there is no court of final resort. The courts actually applying this law have, up to this time, been necessarily partisan in composition, and these partisan courts have acted in times of great national excitement. Perhaps the only perfectly well defined cases which are referable to the law of nations are those which involve the disputed rights and duties of neutrals and belligerents. By far the most considerable fraction of the whole mass of precepts, going under the name of international law,

thus supposed a state of war to exist ere invocation of the law could take place.

We have already seen that this class of cases is in a peculiar sense refractory to any process of delay. We know that those delays which are submitted to are due, generally, either to impotence of the complaining neutral, or to unneutral sympathy with one of the belligerents. But we know, also, that these delays menace the whole situation of neutrals, and imperil their so-called rights in any future war. It is therefore by no means a clear gain that there should be set up mechanisms applying to cases that can arise only because war exists somewhere in the world, and which, if they operate at all, must, by reason of the delay involved in orderly procedure, operate to the disadvantage of non-combatant nations. We may leave the subject while remarking that although not of capital importance, the proposal to set up tribunals which must make, or have made for them, the nice distinctions involved between "justiciable" and "non-justiciable" disputes must tend to increase the sources of irritation between nations. If, in spite of this increase of irritable points, there were provided at the same time a positive central control, then the world might afford to let its lawyers play with these edged tools. But, in the absence of a power which can say the last word of force, we may but add to our difficulties by putting our affairs in the keeping of contentious men armed with a complicated nomenclature. By such means we may indeed hold the dogs of war in leash for a month or a year; but when they slip the easy noose of forceless courts, then will they fight all the more angrily over "wrongs" that have been multiplied by the subdivision of definitions.

## CHAPTER VIII

### ALLIANCES

SOME of those who reject, as impracticable or undesirable, all measures aimed at universal organization among nations are persuaded that various alliances may be made, ensuring greater safety for the particular nations thus engaged, and perhaps also diminishing the chances of war throughout the world.

In certain quarters it is hoped that the existing union arrayed against Germany and her allies will be continued after the war. This hope is associated with the theory that continuance of the German-Austrian-Turkish-Bulgarian combination will be prohibited, and in some way rendered impossible, as a result of the anticipated defeat of that combination.

In other quarters it is proposed that the United States shall become a partner with Great Britain and France in an offensive and defensive alliance.

Yet others would make a marriage involving only the two great English-speaking nations.

So diverse are the proposals of this sort, so multitudinous are the questions raised by them, so uncertain is the outcome of the present war, that discussion of these various permutations and combinations would become at once onerous and futile. It is more

important to study the effects of the alliance method in general.

The cement which, alone, can hold independent societies in union, and cause them to suffer great hardships together, is to be found in the conceptions of common national interest held by the statesmen of the combining units. This cement will dissolve, first, when the conditions suggesting community of interest have actually changed, or, secondly, when the same conditions are viewed, in a new light, by those who follow in office the framers of the agreement. The difficulty presented in the former case may be met by a decent denouncement of the treaty of alliance.

This simple and direct process, however, is fraught with danger. To formally demand dissolution of the special bond of "peace and amity," once so solemnly celebrated, amounts almost to a declaration of antagonistic interest—hence of threatened war. Without the previous marriage ceremony, the parties might have lived on happily enough in the "equilibrium of indifference." But when lovers separate, we may assume that a quarrel has occurred, or is imminent. If appearances are to be saved, there is shifting and evasion and much cry of misunderstanding. This process may run through years. Thus, Great Britain, finding Continental conditions rapidly changing after the Grand Alliance had conquered Napoleon and "settled" Europe, also found that her interests could no longer be served by an embarrassing restraint; yet it did not seem politic to make a formal break. It was simpler—perhaps truer even—to say that the "Alliance had moved away from England," and eventually when some



wholly unwelcome suggestion was made, in the name of the treaties, by some of her associates, Great Britain, in declining co-operation, gave a quiet, unostentatious *coup de grâce* to a moribund institution.

Russian history is fruitful in cases of heart disease affecting alliances through the second cause indicated above—namely, a sudden shifting of policy, following change in the personnel of government or in the predilections of rulers. Frederick the Great was saved, during the Seven Years' War, by Death's kindly removal of one ruler in Petrograd, who was replaced by another having contrary views concerning Prussia. Napoleon's conquest of young Alexander's imagination, and the consequent re-directing of great armies, is one of the truly dramatic episodes of European history emphasizing the transitory character of political unions. Later, the decease of the same autocrat was followed, not by any outward and articulate change of policy toward the alliance which he had cherished, but by a renaissance of absolutism and separatism in his successor Nicholas, whose ambitions were Russian rather than European. It then became necessary that other powers should revise their estimates of the value of a too intimate association with a too energetic potentate, filled with devotion to the "Holy Russia" idea.

But the original sin of alliances, in general, is that which inheres in *all* contract relations between *those who have no judge set over them*. With unvarying uniformity we find that agreements, in order to be sure instruments of tranquillizing men's affairs, must be *interpreted* and *enforced* by a power set over the interested parties. In the "natural history" of

contracts three phenomena recur with monotonous repetition. First, men differ concerning the meaning of the language expressive of an agreement; and second, they allege that newly discovered facts, unknown or not existing when the agreement was made, have modified the implied bases of understanding; and third, they declare that one party or the other is, in fact, violating the letter or the spirit (or both) of the bond once agreed upon, and that consequently it is no longer obligatory upon either.

Over and over again, in private and in public affairs, these allegations are made; sometimes in good faith, sometimes in bad faith. It is the business of a Government to judge such quarrels among its citizens; to decree their settlement, to restrain the contestants from violence, before and after the rendition of judgement. No cunning employed in the drawing of treaties can escape these world-old difficulties so long as each party to the agreement is left "sovereign" and armed.

Italy interpreted the war between Russia on the one hand, and Austria and Germany on the other, as having been begun "offensively" by the Teutonic allies. These latter still being bound together by common interest stood by the Pact, while Italy not only read herself out of the former Dreibund—but actually declared war against her whilom partners.

How puerile is the use of these words "offensive" and "defensive" save in *strategic* sense! Grave men—"fond old men"—go through the mummery of agreeing to do certain things only in case *defensive* wars are waged by certain others—as though *all* wars are not declared, by their makers, as defensive

in the political sense. Children could not play more solemnly.

The first Balkan war gives an example of conditions in which alliances may be useful—that is, for the *conduct of war* directed against a *specific enemy*. *That is the true rôle of these temporary unions*. Although no formal judgement-seat had been erected over the contracting parties, yet Necessity and Danger combine to force mutual concessions and workable interpretations. In a sense, we may say that the arms of their common enemy furnish a “sanction,” controlling the signatories to a war alliance. It *must* be observed in some fashion; failure to compromise differences of interpretation might easily be fatal to all. Such are the exceptional conditions surrounding a compact of sovereigns while military operations continue. They quickly disappear when arms are laid down. This is illustrated in the frightful break-down of the Balkan union when Turkey’s defeat gave to the allies the primary objective of their partnership. Their subsequent quarrel shows how powerless are these agreements for the keeping of *peace* when measured against the passionate reclamations made by each restless signatory fretting over a “wrong” and curbed by no master.

The Greco-Serbian treaty offered a serio-comic phase in a great tragedy. Greece (through a Government now ousted) declared she was *not* bound to aid Serbia in a certain contingency: Whereupon, outside parties, whose interest dictated the contrary decision, declared Greece a recreant among nations.

We have not yet adverted to one of the most serious difficulties confronting every effort to bind sovereigns together (for anything but some simple

definite act); that is, the supreme difficulty of *expressing* the vague thing aimed at. Let any reader essay the task of stating in particular terms just what an Anglo-American alliance should contain—if it is to be anything more than a bit of rhetoric expressive of the sincere desire of these two peoples to “get along” without fighting each other. It will be instructive to frame answers to the following questions :

Will the United States agree to go to war whenever and wherever Great Britain is at war, and *vice versa* ?

If this question be answered negatively, then, more narrowly, are there *any* countries against which each signatory is *bound*, on the request of the other, to make war ?

Are there any contingencies—and if so, *what*—upon the happening of which each may summon the other to war ?

Who will judge as to whether such contingencies (if any be named) have actually arisen ? Is either signatory free to make other alliances ? Is either signatory free to make war independently of the other ? What forces shall each maintain during the term of the alliance ? What forces shall each supply in case of war ? Who will command the united forces ? Can one lend money to or otherwise aid a state inimical to the other ? It is, of course, quite possible to swathe all these questions in platitudes or in unmeaning phrases, but unless the treaty-makers consent thus to prostitute their talents, they will either throw down their pens in despair, or they will write a true marriage contract—“for better, for worse”—and create a new government, controlling the signatories no longer *sovereign* states,

However faulty may be the workmanship of alliances in general, they possess at least one virile quality—that is, of breeding counter-alliances—of creating suspicion, of poisoning the diplomatic air—already fetid enough. Fine words have just enough effect upon men's imaginations to make them uneasy as to how far their "medicine" will actually govern the conduct of those uttering the incantations. And the union of "A" and "B"—even by foolish ceremonials—from which "C" and "D" are excluded must suggest some form of adverse interest separating the former from the latter group. Whence more "preparedness," more heckling, more grabbing, more childish starting at bugaboos, until armies of men—wise and foolish alike—are bent upon killing each other, while women weep and hunger haunts a thousand homes.

All things are possible with God. It is therefore possible that the centuries of man's stumbling in the dark are yet to be long in the world which Fate has given us.

If the day of illumination be very distant, even the boy's game of "Balance of Power" may long continue to satisfy Europe as the last word in international wisdom. Perhaps America shall take her place in the giddy dance. Perhaps it will be forgotten that *all contracts* become "entangling alliances" if their interpretation and execution be left to the contracting parties, unconstrained by any imminent danger equally threatening all.

## CHAPTER IX

### PRESERVATION OF THE *STATUS QUO*

MANY internationalists assume that territorial boundaries existing at the time of organizing a central tribunal would necessarily be guaranteed by the signatories to each other, and also by the newly created power to its constituents. It is often further assumed that this guaranty may be extended to the *character* of government to be exercised within the recognized boundaries. An example of this action is found in the Constitution of the United States, a Republican form of government being guaranteed to the states of the Union. The Holy Alliance attempted to guarantee, not only a monarchical form of government, but also the permanence of existing royal dynasties to all the states of Europe. Both these ideas—namely, that of maintaining specified territory for a specified people; and that of maintaining specified governments in sovereignty of these territories—are often loosely combined in the familiar formula: “The *status quo* must be preserved.” It will be best to strive for some precision in a matter which presents extremely serious problems and which is susceptible of much misunderstanding.

Probably a working definition of what is usually intended by this expression, in dealing with the

establishment of an international tribunal, might be given in the following words :

The *status quo* implies the right of any sovereignty to exercise complete control over the inhabitants of the territories *now governed by it*, including the right to admit or exclude from those territories any persons or things whatever. The maintenance of this status supposes that these territories and these sovereign rights are never to be denied by the International Tribunal—but, on the other hand, to be secured by it to each sovereignty against domestic or foreign violence.

This definition should then be followed by a geographical description of the territories claimed by each of the sovereignties at the time of making the compact. If such claims show no overlapping, there would then be an harmonious recognition of title at the beginning of the tribunal's operations. Should there be discrepancies between the claims, these discrepancies would normally be referred to negotiations between the contestants, or to the tribunal having jurisdiction over international disputes, or to a special tribunal, or to a plebiscite. Assuming that this matter of geographical delimitation as to sovereignty shall have been clearly fixed, the definition as just written supposes (*a*) that existing boundaries are to be for ever guaranteed by whatever central power may result from the compact, and (*b*) that within these boundaries the sovereign power *de facto* should have the complete control indicated in the definition. It would leave the *form of government* subject to *peaceful change*.

While many of the territorial transfers that have taken place in the past have resulted from war, many others have been effected through peaceful agreements, presumably based upon mutual advantage to the

parties concerned. Still others have been due to the extension, usually by force, of the power of civilized nations over the lowly developed races of the earth. The use of violence in these cases may be dignified by being called international war, or not, as one's fancy may dictate. And again, partitions have been made, peacefully enough, so far as the civilized nations were concerned, of vast territories in Africa, without initially consulting, or even fighting with, the savage inhabitants of the countries in question. We are quite confident that the age of geographical discovery has substantially passed. The whole world is now governed by, or under the recognized authority of, some established coherent state. It is true that at the moment of this writing conquests are being attempted in Africa and in Asia. But these conquests, however they may be determined, will almost certainly leave the situation as just described. The map-makers may write "English" where they now write "German," or *vice versa*. In substance it will appear after the end of the war that practically every square mile of territory in the world will have been ascribed definitely to some recognized power.

Within the limits thus set will be found certain populations dissatisfied with the sovereignty established over them. We may also safely assume that not all of the considerable powers now engaged in strife will be entirely satisfied with the territorial determinations appearing in the treaties which they will have signed. These two conditions—namely, dissatisfaction of dominant powers, on the one hand, and dissatisfaction of subordinated populations, on the other—will doubtless continue for an indefinite period. Parallel dissatisfactions exist between indi-



viduals and groups within every nation. It would be vain to contemplate a system which would entirely clear the world of these conditions. It is not, however, vain to contemplate a system which will eliminate *war* as the determinant of the rivalries between the dominant powers. That is largely a question as to whether the people constituting those dominant powers desire, or do not desire, that particular form of pursuing their ambitions and their so-called "rights." A formula relating to this subject will be proposed at the end of this chapter.

More perplexing is the question as to how we shall deal with disaffected populations which find no peaceful means of obtaining complete independence when this is desired, or of obtaining redress of wrongs which they claim to suffer at the hands of the dominant power controlling them. We know full well that governments, like individuals, may unjustly use the authority which at any moment they may chance to enjoy. The two continents of the New World (save relatively small fractions of them) resorted to violent revolution in order to free themselves from what they considered an intolerable rule exercised by those European governments which claimed the Americas as colonies. Similar movements, at a very recent date, have taken place in portions of the Turkish Empire. Surely we should hesitate to leave all subordinated populations in such situation that they must either obtain the voluntary remission of their bonds by their present sovereigns, or seek liberty by confronting the combined and overwhelming power of all the great nations that may be supposed to set up an international tribunal. If, among the functions of that tribunal, we should establish, as a definite

duty, that the central authority should for ever guarantee the *status quo* of existing sovereignties, we should have definitely put an end to all movements for independence or other redress of wrongs, except such as could be won from the grace of those who now possess authority over others. Into any international action which may occur within the next fifteen or twenty years it is probable that the Hindus, the Javanese, the Filipinos, and the Koreans will enter only through determinations made by the British, the Dutch, the Americans, and the Japanese respectively. But shall the world's progress toward international peace be paid for at the price of extinguishing all hope of changes in sovereignty that may now or in the future be cherished by these subordinated peoples? Have the rights exercised over these people been acquired by means which the world's conscience desires now to sanctify for ever? Is the relation existing between the controller and the controlled such as carries with it, in the minds of just men, the idea of an inalienable right of a possession? This is not the thought entertained by conscientious and enlightened men throughout the world. On the contrary, the formula frequently expressed among those now directing the weaker peoples is this: "We control these, our fellow-citizens in the world, only until they shall have acquired certain knowledge and certain character that will fit them for independence." And this formula would admirably satisfy all the conditions of the problem if there were some indisputable standard of fitness for self-government. This issue, however, will be clouded by honest differences of opinion, and by the insidious pleadings of ambition

and interest. To guarantee the *status quo*, and at the same time satisfy the growing scruples of civilization, would be to suppose that a supernal wisdom and an ideal justice will always direct those small groups which at any particular time may constitute "government" in Great Britain, Holland, the United States, Japan, France, Italy, Germany, Turkey, Russia, Spain, and other master nations. Obviously the supposition is unsound.

There are no obvious marks by which we may distinguish noisome rebellion on the one hand from righteous revolution on the other. Sovereign states must be left free to suppress, if they can, all insurrectionary movements within their borders. Oppressed populations must also be left free to strive against tyranny for the redress of grievous wrongs, or the satisfaction of normal ambitions. The disorder which may attend upon such movements will often affect, only to a negligible degree, the international interests of the world. Given a certain magnitude, however, the disturbances within one state may so seriously affect the welfare of others, that those others will demand a hearing and an intervention for the protection of their interests. It will be quite impossible to set rules to measure beforehand those disorders within a state which may attain to the stature of international issues. A fair working rule, however, may be laid down by providing that the central authority set up over the nations, and intended chiefly to enforce order as between those nations, may intervene in a state wholly disordered by violence, if it be requested to do so by two or more governments, other than the one suffering from domestic violence. It is easy to point out very serious

objections to the intervention of any outside power in a family quarrel. Yet the alternative here suggested has advantages over those interventions which actually take place in the absence of central authority. No one state lives to itself. It is bound to preserve some undefinable modicum of order, or otherwise neighbouring states will undoubtedly take it upon themselves to enter into the troubled territory, alleging no other right than that of preserving the interests of their own people, and secondarily, serving the interests of humanity in general, by the establishment of order. The obvious difficulty presented by the use of this remedy is that the doctor pays himself. He administers the body of the invalid, and decrees that such and such portions are properly due to him because of the sacrifices which he made in his double capacity as shepherd of his own flock and as good Samaritan to him who had fallen by the wayside. If, on the other hand, a central authority intervenes, there is fair reason to suppose that greater respect will be paid to the true relative interests of all concerned. If I quell a riot in my neighbour's field, and there be no central authority superior to both of us, I cannot be trusted to make final settlement of the disturbed condition. It is better that the sheriff be called, and that the power set up over all shall determine issues arising between neighbouring proprietors and their inter-communicating tenants.

We have dealt chiefly with the supposition of violence that may arise between the dominant and the subordinate peoples. It remains that even the firmly established states, whose boundaries, inhabited by self-governing people, are known to all the world, may yet within those boundaries be torn by civil

strife. If it be difficult to prescribe rules which should warrant intervention between metropolitan and colony, how much more difficult must it be to draft a code dealing with disturbances in the infinitely complex association of citizens in a modern state! Surely in this region of doubt angels of wisdom will hesitate to tread, and only fools will enter in. For all such tragic contingencies, and for all their possible results in respect to territorial sovereignty, we must, it would appear, leave the future to itself, contenting ourselves now with some such provision for possible intervention by central authority as has been suggested above.

Those who have urged that a guarantee of existing territorial distribution should be written into the constitution of any international organization, have seemed to have in view chiefly the possibility of the attempt by one state to wrench away territory now belonging to another. This sort of guarantee is implied in the very nature of a true central control. But that would not be the whole effect of a blanket guarantee of territorial integrity. Let us suppose that after the organization had been effected two states should desire to unite, as Scotland and England united in 1707. Or let us suppose that two states should desire to separate, as Sweden and Norway separated only a few years ago. Or let us suppose that some new federation should be on foot, such as that which produced the German Empire. All these movements, by presumption, are entirely peaceful, and are accomplished only because the states concerned desired to have them accomplished.

If the guarantee of immutability be given, other states might allege that they entered the general

arrangement on the faith that the existing distribution, and none other, would be for ever maintained. They might declare that they had an interest in the maintenance of that distribution, and that the international controlling power could not, without violating the original compact, permit any changes, either by way of merger or by way of division. Such claims would undoubtedly embarrass that authority charged with passing on the case. The restriction might prohibit the working out of some of those movements which are inherent in any living body. There should be no inhibition upon them, due to hard and fast expressions written into the general contract long before the occurrence of the actual cases to which the rule would apply. It would be quite sufficient that the central power itself, being granted the right to recognize or not to recognize new states, should act at the proper time, according to its judgement of the best interests of all concerned. Normally, either conjunction or disjunction, if brought about peacefully between sovereign states, should not be objected to by any third party. And perhaps the merger here contemplated could be covered, even in case some guarantee were originally made, by the provision that territorial changes of sovereignty might be effected whenever they came about by the voluntary action of the populations involved. This language would probably satisfactorily cover such instances as that of the union of Scotland and England, or the disunion of Norway and Sweden. But even this expression might become the subject of violent dispute, since the question might arise as to whether the totality of the populations involved had or had not consented to the proposed change. Minorities exist

in opposition to nearly every considerable movement in the world. And these minorities sometimes reach such proportions that question is raised as to which is the true organic body that could speak as government for a given population which has been divided in sentiment concerning a great issue.

From these considerations it appears that, although international organization, with some guarantee of existing territorial distributions, would be far better than no organization, yet the prudent course is that of leaving a question so absolutely connected with future and unknown conditions to determinations made in the light of those conditions.

It will be sufficient at the outset to recognize, in proper geographic terms, the territory then controlled by each sovereign signatory to the general pact, and to guarantee every signatory state against warlike attack from any other state. Similar protections surround each of us individually in our relations to the state and to each other. They seem sufficient, when we add the undertaking to protect our property against that surreptitious violence which we call theft.

Such recorded and accepted boundaries would serve to determine future questions of *fact* as to invasion, occupation, cession, exchange—or, in fine, any *change*, rightful or wrongful, in the *status quo*. The record would not, in and of itself, preclude *change*. It would merely be the Torrens System applied to great national holdings.

All the considerations set forth in this chapter were perhaps in the minds of English statesmen a century ago, when they refused to sanction those for-all-time guarantees sought by certain Continental members of the Holy Alliance.

## CHAPTER X

### PRESERVATION OF THE *STATUS QUO*—(*continued*)

WE now consider a second important element in the *status quo*—namely, the completeness of control which should be left to each government over foreigners inhabiting, or travelling in, its undisputed territories. International relationships are very directly concerned with this subject. The most acute situation arising under this head hangs upon the question as to whether or not any state may exclude the inhabitants of any other state from passing through or establishing themselves within the territory of the former. Even if absolute exclusion be not in question, difficult problems are presented in the determination of the conditions under which foreigners may reside in, or become citizens of, another state than that of their nativity. There can be no doubt that at present each sovereign power does thus claim, and exercise, complete control over all relations whatever with the citizens of foreign countries.

For the most part, European and American states have established among themselves a status for foreigners almost equal to that enjoyed by native citizens. Nevertheless, it is universally recognized that the existing privileges rest wholly upon treaty



stipulations. They may at any time be terminated by whatever processes are set forth for the denouncement of treaties creating these privileges. On the other hand, as there is no limitation whatever upon a sovereign as to what shall be a *casus belli*, it follows that the refusal by one government to continue these customary conditions might be considered by another government as an injury, the remedy for which might be sought in war.

The generous rights of travel and residence which, until interrupted by actual war, have been enjoyed throughout Europe and America, result from a certain unity, recognizable in the religious, political, and social ideals of the peoples concerned. We shall not fall into the crude error, common enough, of assuming a similar unity in various Asiatic civilizations and African barbarisms. There are very wide differences indeed between Japanese and Hindu conceptions of political, religious, and social relations. Nevertheless it is true that all these Asiatic civilizations are in strong contrast, in one way or another, with the European-American group. Nor shall we forget that differences in group ideals correspond to actual differences in personal ideals. Each individual citizen of Japan conducts his life in conformity with a number of adjustments differing sharply from those found in India or in England. In addition to these differences of *mental* complexion and featuring, there are striking differences in the *physical* complexion and featuring of various races that are now being brought into contact. This contact presents one of the charms, and one of the dangers, of the era in which we live.

Peculiarities of customs alone affect the imagina-

tion in such fashion that we tend to exaggerate *differences*, and to be blind to the fundamental *similarities*, which mark the human race. When we observe *physical differences*, as well as those of *custom*, we are apt not only to exaggerate actual departures from our standards, but to assume that they will have the same permanence which must attach to differences of complexion or of feature. In another way also we are led to place too much stress upon existing differences. We do not always estimate at its true value the enormous change which has taken place in the ideals of our own race since modern science began its development. One of the most important results of that development is to be found in its unifying power upon social relations. At a glance it will be seen that religious differences become less marked, in the degree in which institutional or supernatural religion loses its hold upon the minds of men. Political differences become less marked with the steady progress guaranteed by physical science in the material and intellectual condition of the masses. This progress necessarily results in a universal approach to what we somewhat loosely call democratic forms of government. Social differences become less marked, partly as a result of the first two changes just named, and partly because, independently of these, economic progress works an extraordinary change in the status of woman. This, in turn, by weakening all older social forms, and casting a doubt upon them, diminishes the strength of social prejudice, even before we attain to any notable degree of uniformity.

To these influences our own race has been subjected for a much longer period than the races of Asia and Africa. Those races, however, are now receiving

ripe fruit, which the genius of Europe has taken time to germinate, cultivate, and mature. We may, therefore, anticipate a progress toward uniformity in European and Asiatic civilizations which will be called marvellously rapid by future historians.

Meanwhile we must still deal with existing differences and existing prejudices. The former must be recognized. The latter may be diminished by excluding, as far as possible, all discussion of *superiority* and *inferiority*.

An approximate uniformity in social custom and political ideals is necessary for the smooth operation of the general laws of any state. The enlightened rulers of all strong nations, of those whose voices will insist upon being heard in the world, will equally admit, and act upon this principle. It automatically and mutually disqualifies certain races for co-citizenship on equal terms with other races, having other ideals. It also automatically establishes as a corollary the right of exclusion of foreigners by any government which determines upon this policy. The formulae by which such exclusion will be effected may be irritating or not, depending upon the wisdom of those controlling the matter. The allegation of *mere difference* will probably not offend. It is mutual. The assumption of *superiority* probably will offend. It cannot be mutual. If sensibilities are needlessly hurt by unwise forms of speech in exclusion acts, the injured party may indulge a reprisal of pride by adopting similar formulae for a counter-exclusion. If we have been right, however, in the analysis heretofore made of the possibilities of expansion for increasing populations, we may rest firmly upon the proposition that nothing more serious need come of

these exclusions than mutual pouting at each other on the part of governments whose citizens do not readily amalgamate.

To restrain such ill-humour from violent expression in war is exactly one of those functions which may well be left to such an international tribunal as we are now considering. It does not seem necessary for the accomplishment of this end that in the compact setting up the tribunal any *formal statement* should be made as to the right of a nation to control the admission of foreigners to its soil. The difficulty of expressing a rule on the subject, other than the *de facto* rule now existing, would be found almost insuperable. Possible departures from that *de facto* rule may conceivably be required in the future. Our ignorance of that future is such that we are wise in leaving the determination of exceptions to those generations which may demand them. In this connection the adjustment of relations between Japan and the United States is treated in Appendix F.

Some international students have thought it desirable that a world organization should guarantee to citizens of all states something like a Bill of Rights, as that term has come to be used in English and American history. Should an international tribunal concern itself, for example, with the matter of religious liberty? The answer to this question may be found by each person as he delimits for himself the degree of intermeddling which he would approve on the part of an extraneous power in the affairs of his own country. It would seem best to begin international control with a system limited to the maintenance of international peace. Until internal wrongs have produced internal disturbances of such magnitude

that the central authority shall be requested by several undisturbed states to make intervention, it would appear best to leave to each independent state that elasticity of internal control without which we cannot hope for considerable social progress. It is to be remembered also that every such phrase as "religious liberty" is subject to wide variation of interpretation, and would be but an indifferent guide so far as any definite line of action might be desired. Thus, no country has gone further than the United States in endeavouring to guarantee to individual citizens complete religious liberty. Nevertheless, when the Mormons claimed that an indubitable revelation had come to them, not permitting, but requiring, the practice of polygamy under certain conditions, the Supreme Court of the United States said, "No. You are quite free to obey such revelations as you claim to have received, provided you commit no overt acts tending to the destruction of the peace and order of society. And we decide that polygamy is such an overt act."

The difficulties surrounding the establishment of an international tribunal would be great enough without imposing upon it the burden of making such determinations as that just cited. To repress quarrels between nations, and to intervene in the violent disturbances of any particular nation, when they result in grave injury to neighbouring nations—that surely is as large a measure of power as will be granted, at the beginning, to any central control.

Another guarantee sometimes proposed is the right on the part of any considerable group to use its inherited language. We are familiar with the embarrassments growing out of this question in some of

the composite nations of Europe. Certain Americans, whose government rigorously requires English as the sole official language of the country, have hastened to condemn certain European governments for endeavouring to establish the language of the dominant group as the sole official language of the composite group. Concerning this problem, we can but repeat what has been said in respect to religion. If, at the beginning, an international tribunal be made the arbiter of such a vast complex of internal questions, we may confidently anticipate an early break-down of the whole mechanism.

These and other questions are indeed pregnant with possible domestic trouble. But until that pregnancy shall have been delivered and shall have borne children in the form of raging warriors, armed with torch and rifle, ravaging their own country and the rights of neighbouring foreigners, the resulting disorders should be recognized as not having attained the classification of international disputes, the settlement of which we are now considering.

## CHAPTER XI

### THE MONROE DOCTRINE

It may well be claimed that the *status quo* includes not only established sovereignty over recognized territory, but also an existing body of international law—even though no sanction ensures application of the code. Furthermore, each nation may claim that certain of its long-proclaimed doctrines or policies must be guaranteed, or otherwise the nation thus disappointed would refuse to enter the union of states to be controlled by an international organization.

Happily, there are some citizens in each of the countries having a set of national theories, who recognize that reservations of this sort would render the functioning of an international tribunal practically impossible. It would find itself the custodian of a number of contradictory claims which now actually breed war, or continually threaten to do so. Prominent among these policies of national, instead of international, birthright is the American Monroe Doctrine.

It will not be necessary, for the purposes of this volume, to record critically the genesis, development, and probable present status of that doctrine. The kernel of it may perhaps be expressed thus—that the United States will oppose the voluntary or in-

voluntary transfer by any Central or South American state of a whole or a portion of its territory to the sovereignty of any European or Asiatic power. Whether the statement should be that the United States will *actually* oppose any such transfer, or will only insist upon being consulted concerning such transfer, must be left doubtful. While the pronouncements have usually been dogmatic enough to justify the idea that absolute opposition is premised yet it surely remains true that the United States might conceivably consent in a special case to that which it in general opposes. But, in any event, its *consent* is understood to be *sine qua non*.

Viewing the matter as it has been thus expressed, many American citizens assert that this doctrine must not be considered attackable by any decision of an international organization to which the American Government may be a party. Those who make this assertion are probably expressing some super-sensitive loyalty to tradition, rather than a well-reasoned conclusion as to the future interests of the country. There is much to be said against the wisdom of this doctrine, even on the supposition that the régime of war should continue.

But if we suppose that régime to disappear, if we suppose that international disputes are to be held within the limits of enforced peace, if not of brotherly love, then, as a matter of fact, the *raison d'être* of the Monroe Doctrine substantially disappears. What did President Monroe and his contemporaries fear when they challenged the coalition of their day by the declaration which is now known as the Monroe Doctrine? They feared that powerful, war-making organizations, controlled by actual or would-be



absolute monarchs, would establish themselves to a greater degree than they were already established upon American territory, and would thus be in position to *use their arms* with relative ease against the United States. Americans stood for a particular form of government as being best for themselves, and they desired to see that form of government left free from attack in America. They sympathized with, but did not materially aid, those revolutionary movements in South and Central America, which eventually resulted in destroying the sovereignty of Spain and Portugal in the American continent. They feared the aggressive action of powerful European states, determined, as all states are up to this time, to execute their policies, when necessary and possible, *by the force of arms*. That is the very condition which is to be eliminated if we succeed in establishing an international tribunal. There were two steps to be taken by any European power, before it would have consummated that injury to its interests which the American Government desired to prevent.

First, there must be obtainment of new territories in the Western world. This might conceivably be accomplished by peaceful means. Next, the establishments thus made must be presumed to serve as instrumentalities for forceful and injurious action upon the interests of the United States. It can scarcely be thought that the exercise of mere blandishments, cajolery, or bribery—or the influence of mere example—would constitute a danger against which the American people had to defend themselves by challenging the freedom of other nations, as that freedom is challenged by the Monroe Doctrine. In both these steps the element of *violence*, the actual

making of international war, is presumed to enter. If that element *cannot* enter into the relations between American and European powers, then the attempted control by the United States of the remaining peaceful interchanges between the Old World and the New would appear only as an act of barbarous and useless tyranny.

The policy of Japan in respect to North-Eastern Asia ; the policy of Austria, clashing with the similar policy of Russia, with respect to the Balkan States ; the policy of Great Britain, clashing until yesterday with the similar policy of Russia toward Persia and Afghanistan—all these policies have this in common with the Monroe Doctrine—namely, the insistence by some strong power that no other strong power shall extend its control into zones where such extension is imputed as a threatened danger to the interests of the first power. And in all cases the larger part of the menace which is feared proceeds upon the theory that the older interests may be *attacked by the arms* of the incoming sovereignty. Such anticipations must vanish in the sunlight of the new order which it is hoped to establish.

The claims of states now firmly organized, that no others than themselves shall secure any new political intimacy with less firmly organized states, cannot be formulated in any such fashion as would present a definite statement of a *status quo* which could be guaranteed. Even if a formula be found satisfactory to one party, it will be contested by another. Nor would it be wise, irrespective of these contentions, to fix the boundaries of poorly developed states, and thus prevent that mobility which their future evolution will require. We have long contemplated inter-

national war as the sole instrumentality for, or concomitant of, the flux and growth of states. As these states change in their internal characteristics, so will the interests and relations of other states with them be subject to endless change.

The establishment of peace-keeping mechanisms within the state has not waited upon the establishment of fixed and immutable relations as to property and privilege between the units composing those states. Variations in the status of individuals and groups is the order of the day. This variation progresses unabated, and with some semblance to conformity with the just dues of individuals and classes, even though all are restrained, by the central power which they have created, from any save sporadic violence in the assertion of their rivalries. Peaceful determination is the *rule*, the destruction of property and of life is the *exception*. Citizens are not permitted, while the state functions normally, to prepare armaments for the settlement of clashing interests, however vital those interests may be considered.

We are now debating as to whether or not the preparation and use of arms for the establishment of rival interests shall or shall not be denied to the big groups of men, even as it has been denied to the smaller groups. We may not shut our eyes to the fact that conflicts of interest actually will exist, or will be believed to exist, in the future, as in the past. The author of this volume is not ignorant of the fact that vast tomes could be written in analysis and explanation of the multiform, interlaced and kaleidoscopic interests, and claims of interest, which constitute the woof and warp of international diplomacy. The files of every Foreign Department are surcharged

with the conscientious but unpractical reports of diplomats and provincial governors concerning the national interests which they strive to foster. These men are for the most part but little prepared by their early training for passing judgement upon the commercial and industrial values which they seek to set up in behalf of their own nationals. If their efforts are inspired at all by contact with the world's industrial leaders, it must often be the case that this inspiration flows from a few forceful men seeking special privilege, and the protection of that privilege, by the use of, or threat to use, national military power.

The heads of weak states are thus perplexed by opposing currents of action on the part of the representatives of great powers. They are drawn into the vortex of European and American politics. And through it all works the marplot tradition which supposes that Smith, the American, cannot seek out Selim or Yamanahka or Ah Sin to trade with him, merely as one trader dealing with another, but that they must somehow give their business *national* colours, tinged with *national* policies. To make a tableau of all the maze of supposed national interests at any one moment would be a great and interesting task. It would not, however, have been completed by the most rapid and competent student ere it would be necessary to change the text in a hundred places. A Cabinet has fallen in Paris ; a new Chancellor has taken office in Berlin ; a Czar has died in Petrograd ; the Opposition has come into power in London ; a great shipping company has bought up supplies ; an agreement on prices has been made between the steel-makers of Germany and the United States ; a relentless empire-builder has been succeeded

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by a peace-loving board of directors—these are the contingencies which will require the constant re-writing of the *status quo*, as that status is conceived at any one moment in respect to the *commercial interests*, considered as *national interests*, of this our changeful world.

Bearing these things in mind, and desiring to treat of relations more permanent, no endeavour will be made in these pages to complicate the study of our general subject by an overwhelming mass of detail concerning existing international jealousies, particularly those relating to weaker nations. If the project of an international tribunal should be delayed for a hundred or two hundred years, it would still be necessary to make the same decision which confronts us now. It would still be necessary to determine whether the new complex of international interests should be guided and decided by competitive force or by central control.

## CHAPTER XII

### COMPENSATION FOR DELAY : ARMED LITIGANTS

IN order to avoid war a system must be substituted which will provide a *compensation for the probable losses due to delay or defaults in the establishment of national interest by national power*. In seeking the solution of this problem we find the answer near at hand. The compensation which all of us receive when submitting ourselves to government within our respective states is this : we enjoy a *settled tranquillity*, guaranteed and enforced by government. It is this tranquillity, this established order, which offsets not only the *risk* of losing our rights through delays of the law, but, in the long run, serves as an offset to the *actual sacrifice* of our rights through the occasional miscarriage of governmental instrumentalities. Over and above the disadvantage incident to delay in legal processes, we may suffer injustice by government in two ways. First, we are sometimes subjected to unwise, unequal, unjust laws. These are imposed upon us, not by a set determination on the part of government to do a wrong thing, but by the conscientious effort of law-makers to subserve the best interests of at least a considerable fraction of the public controlled by them. As in our private lives we make rules of conduct, which later we abrogate

because they are found to be unprofitable, so it is that the rulers of men err in their judgements, and until this error be recognized and corrected citizens may suffer losses of right eventually recognized as such, even by those who have caused the suffering.

Second, we suffer loss of right through administrative or judicial errors. Laws which in themselves may be wisely devised are not uniformly executed so that they bear the fruit of justice. Perhaps in a large majority of litigations the losing party sincerely believes that through one or the other of the causes just mentioned he has suffered an injustice. In an unorganized society he might have established by violence his "righteous" conception of his just dues. But he submits to the loss of his estimated rights, *and he gains by the submission*. In being restrained from attacking his adversary, body against body, he is likewise protected from being attacked by others. The chaos of private war would, in the end, inflict upon all participants losses incomparably greater than those which they suffer in an ordered society from the failure of government to administer some ideal justice which can never be agreed upon among men.

Now it seems quite evident that, without such compensations, it would be rather foolish for strong individuals or groups to forgo violence in the establishment of what they consider their vital interests and their just deserts. Can we then reasonably anticipate that the particular groupings which we call states will be measurably restrained from similar use of violence unless a similar compensation can be assured to them? And how can it be assured them? Can impotent and ladylike courts, powerless to

enforce their decrees, guarantee a settled order and tranquillity among fifty sovereign states, each armed as heavily as it chooses ?

Some of the plans which were classified in a preceding chapter are so tenderly considerate of sovereignty-as-it-is that they do not even require a preliminary agreement to submit any disputes to the tribunals proposed to be created. Such submission is to be accomplished only by special agreement as each case arises. Recognizing that Mars—most impatient of gods—will not always wait such agreements, other plans require a general contract for the submission of all disputes that cannot be healed by diplomatic negotiation. But, becoming fearful at this point, they do not provide even a paper contract to abide in all cases by the decisions of the projected tribunal.

Still other propagandists, proceeding a little further in their vision of the futility of half-way measures, require an agreement for general submission of acute quarrels to an indicated tribunal, and a general acceptance of the tribunal's decrees. But they balk at the next step. Declaring that existing prejudices would prevent the establishment of a tribunal competent to enforce its decrees, they leave fifty independent sovereignties independently armed bound by agreements not to use those arms independently. Such armaments seem to be considered as a sort of vermiform appendix of the prevailing war system, with no surgeon bold enough to amputate it. Those who make this proposition usually support it by alleging that public opinion will be effective to secure faithful observance of the court's decrees. The value of this argument will be



tested in the next chapter. We have before us the example of states, large and small. Their populations vary from a few thousands to more than a hundred millions. All forms of government, ranging from the simplest personal tyranny of a single individual to the most widely diffused democracy, may still be seen in daily operation. We have the fairly clear history of various governments appearing and disappearing during a period of five or six thousand years. But in none of them do we find an example of efficient action *without central force* abundantly able to overcome private arms if any remain. In general, whenever any state failed to move in the direction of compensating the sacrifices required of obedient citizenship by an assurance of tranquillity, then such a state went to pieces either through external or internal violence. Apparent exceptions to this rule will be noted in Appendix G.

## CHAPTER XIII

### PUBLIC OPINION

WE have so long inherited, and so universally applied, the principle of centralized force, as a sanction for governmental action within the state, that we scarce inquire into the origins of an institution accepted as fundamental. They have been lost in the mists of time. But this much we can observe in our own day. Public opinion, as nearly as that term can be defined, undoubtedly *desires* that the decrees of courts shall be obeyed. Yet it is equally clear that no state would venture to base its tranquillity *solely upon this general sentiment*.

The explanation of this fact is relatively simple. Public opinion is merely majority opinion. By majority we may not always mean numerical majority, but a temporary majority of intelligence and force. Against this public opinion is arrayed another opinion—rebellious, or at least combative and diverse. Indeed, government may be said to be instituted for the suppression of minority opinion as well as for the enforcement of majority opinion. Were there no conflict between your own views and mine, there would be no need of governments. Perhaps no single principle of organized communities attains more nearly to absolute universality than that which

creates tribunals, and at the same time organizes physical force as a sanction for their decrees. Public opinion thus wisely *doubts* its power to control, *without force*, the actions of particular persons who may conceive that their interests, on particular occasions, will be better served by resistance rather than submission to the established order of society. Experience shows that even the "good citizen" is often ready to evade covertly the obligations of law, while piously insisting that it must be observed by all his fellow-citizens. And experience further shows that in times of excitement men of most orderly lives may be moved by passion to defeat the execution of some odious governmental determination. Thus aroused, even the best and most civilized among us may be found in sudden reversion to savage use of violence. We do not stop then to argue with those who denounce the great wrong we are about to do in wounding the tranquillity of the state. And if such a rebellious group chances, in the long run, to include a majority in intelligence and force, it may even triumph over the organization which *was* the official machine—the state—and thus create a new government. In the very moment of success, however, we, the rebels of yesterday, now creating institutions which may be different in many particulars from those just destroyed, will not venture to dispense with some organism of central judgement and central force. We, the body of good citizens of the world, cannot trust ourselves as, without organization, guarantors of an unbroken tranquillity. We, who call upon the police to disperse the mob, may to-morrow lead the mob. In frenzy we may strike down the conscientious constable who does his duty in arresting us.

But when the momentary excitement has been calmed, we are glad to see the policeman again on his beat. We willingly pay our taxes from which his support is drawn. We know that he and the judge, secluded in the court-room, and the legislator in the Senate Chamber, constitute the very skeleton of that living body which we call society. And we know that organized society—union of judge and policeman—gives us the sole guarantee possible for the pursuit of life, liberty, and happiness.

But we, the good citizens, do not constitute the whole of the state. There are scattered individuals, sometimes groups of such individuals, who are in permanent rebellion against all the institutions of man directed to the protection of so-called rights. They steal the grain in our fields, they break into our houses at night, they cunningly devise theft by contract, they deceive honest men in the everyday business of buying and selling. They rob or kill on the highway ; in drunken brawls they attack peaceful citizens ; they venture to settle their every quarrel with a pistol shot ; they despoil the rich, and they insult the poor. Does not public opinion condemn these, our fellow-citizens ? Have we not expressed our condemnation in moral codes and Sunday preachments ? Yet of what avail are these condemnations if we fail to give to our public opinion an *organ of expression* which we call the police magistrate and the policeman ?

We have now glanced at the average citizen, and at the criminal—an exceptional citizen—in their relations to *order* within the state. The parallelism between the probable action of governments uncontrolled by centralized force, and the action of the

average citizen, is sufficiently obvious. We cannot reasonably doubt that nations, if left free to arm themselves, while bound only by those agreements which surround every citizen in his rôle as citizen, would be found endeavouring the same evasions, the same rebellions, and the same riotings which, in spite of the coercion of centralized state power, still mark our civil life. If evasions and riotings cannot be entirely avoided, even in states possessing central and coercive power, we must assume a yet greater ratio of such miscarriages if nations enter into a so-called peace-plan which does not supply an element of peace-enforcement. How many good citizens would answer the summons of an adversary endeavouring to injure them in seeking his own right if no competent physical force lay behind the written summons? But if we suppose appearance to have been made, how many would permit execution of what they would consider wrongful decision if no force lay behind the paper decree?

We have spoken above of evasions, implying a clear understanding of the decree, and a more or less clandestine effort to defeat it. The decrees actually rendered by human tribunals, however, are not always simple in their application. Men may interpret them differently, yet conscientiously. In the affairs of nations it will almost inevitably occur that decrees would require considerable time, and would involve considerable complexity of action, in their execution. It cannot be doubted that occasion would be found to dispute either the interpretation or the application, or both, of many such decrees. Nor does it seem doubtful that independently armed disputants, one of whom, at least, feels wronged by

the decision rendered, would ultimately resort to those arms which they have not been asked to lay aside. Indeed, the irritation of the loser who is supposed to have submitted himself voluntarily to a forceless court would have grown more and more acute if the delay incident to submission seemed to have added to the disadvantages under which he believed he suffered at the outset.

His successful opponent being left to enforce the decree according to his own interpretation, and by his own power, would instantly appear in the rôle of an active enemy, and both would be thrown back to the position of competitors-in-arms, constrained by no superior force. Certainly the quiet countryside of the most civilized states would be thrown into internecine warfare if actions of distress and ejection were enforceable solely by the power of the victorious litigant.

The parallel of riot within the state, when applied to the state itself, would be found in two forms, both of which are illustrated by the existing situation of Mexico and the United States. One of these nations is disturbed (1916) by a kind of riot which must be called *révolution*. Mexican armies seek each other for mutual destruction. Central power can scarcely be said to exist. If that name be given to one or the other of the warring factions, it is yet too weak to take on the full mien of government. So it may be said that there are two or more governments, imperfect but self-declared, making war each against the other, in a territory which we know geographically as Mexico. Arrayed against these, or against some one of them, as the kaleidoscope changes, is the great power of the United States. Now let us suppose an

international tribunal, forceless, to be sitting at the Hague. What part could it play in redressing those violent wrongs which, unless checked instantly, must grow to unbearable dimensions? If neither Mr. Carranza nor Mr. Wilson can call upon a common superior to check Mr. Villa, why should Mr. Villa be checked at all by paper decrees? In the course of a few days after the Villa raid, in May 1916, it is a Carranza force which seems to be making war against an American force. Of what avail, when the lives of thousands of men hang upon the event of the moment, would be the decrees of a distant court which could not order a single soldier to a field where opposing forces are shooting each other to death?

It may be questioned as to whether, in a society made up of nations, there will be anything corresponding to the criminal class in the body of citizens constituting a state. It is true that in every war charges are made on both sides that the action of the enemy state is criminal. Each declares the other to be a violator of the body of so-called International Law, and of something vaguely called the "laws of humanity." But after the passion of war has subsided, these epithets are usually withdrawn from all public, and most private, utterances concerning the late belligerents. Cool intelligences recognize that the word "criminal" is scarcely applicable to the acts of any large number of men whose private lives are normally directed by the mass of moral teachings which are common, because necessary, to all organized society. It is true, examples have not been lacking in the history of our race, of tyrants, able to interpret into a national war their personal violences of character, their personal departures from the general

moral code. But it is safe to say that in general the destinies of states are now directed by the *average* morality, either of the whole people, or of a considerable class having the average morality of an aristocracy. We must therefore hesitate to assume that any one of the states which might now enter into a union for the establishment of an international tribunal would ever bear to the others the relation which the professed criminal bears to the society of any given state. The nearest parallel which would be presented would doubtless arise from actions which might be likened to the conduct of those semi-criminals whom we sometimes call "tough citizens," and who exhibit a brawling disposition, insistent upon the exercise of violence even in trifling disputes. And again, those states which enter intimately into the commercial and industrial activities of their people might be found guilty of that kind of malfeasance which characterizes unscrupulous traitors who play hide-and-seek with the criminal statutes of their country. More frequently, however, condemnable action in the field of business would be chargeable against nations, as against individuals, on the ground of committing some *malum prohibitum* rather than the *malum in se*.

Consequently, we may say, after studying the attenuating conditions entering into the word "criminal" as applied to national conduct, that any plan of international organization which fails to provide a centralized force-sanction for decrees would meet substantially the same difficulties that would be met by a state in its domestic administration, if it should be suddenly deprived of that organized physical force which, in one form or another,



now guarantees society against the violences of its own members. In doing this it reveals itself in its true character, as the *instrument* of *public opinion*, without which the practice of government *through* public opinion would be impotent.<sup>1</sup>

<sup>1</sup> The subject of this chapter is further discussed in Appendix G.

## CHAPTER XIV

### AN INTERNATIONAL EXECUTIVE

If it then be assumed that various compromises heretofore discussed cannot bring into the world that compensation to national units which has been measurably secured by individuals and groups within each nation, it becomes necessary to consider the character of those mechanisms which may be effective to secure the desired end.

At the outset of the inquiry, we may safely assume that we should be guided as far as possible by the parallels furnished through the experience of mankind in organizing all the states that are, and all the states that have been.

The central power is charged in every state with the following functions: (a) To judge between its citizens in cases of dispute as to whether or not the customs of the country, long recognized as binding upon all, have been observed or broken. (b) To modify or add to the code of customary rules other rules of action required to be observed by its citizens. (c) To judge whether such additional rules have or have not been observed. (d) To punish infractions of rules of action old or new, which have received the sanction of the central power. (e) To conduct negotiations, and to carry on wars with other states.

Much insistence has been laid by many authorities

upon the importance of placing in the hands of different men or organizations the three branches of action into which government may be divided, namely, the law-making, the law-judging, and the law-enforcing. But this distinction, in simple societies of relatively small numbers, has rarely been observed. In many great societies also it has been found convenient to combine all these functions within the activities of a single being, or of a small governing group. The extent to which complete power will be delegated to such bodies is, of course, widely variable. It will generally be greater, the greater the population to be governed.

It is often said that the modern tendency is distinctly toward a strengthening of the doctrine of creating three bodies, as nearly independent as possible, for the performance of the three functions above indicated. This is a doctrine, however, that has been more emphasized in the New World than in the Old. In both cases, it seems to have been part of a pronounced reaction from the absolutism of the monarchies which governed Europe during the period of several centuries preceding the French Revolution. In England, their present tendency is in the other direction. The Prime Minister, chosen, in effect, by the *Legislative* body, may be said to be the Executive head of the state for all new and vital activities. The Crown, theoretically, continues to direct the routine of government, while its real influence languishes. The absorption of all administrative as well as legislative power by one branch of the government becomes the more marked as parliaments develop into practical uni-cameral organs, by atrophy of the powers of one or the other of two co-ordinated chambers.

A like tendency is observable in France. No attempt, however, will be made in these pages to follow the manifold fluctuations of power between the nominal executive and the nominal legislative branches of various governments. We are more concerned to consider the relationship between the power that *judges* disputes, and the power which *executes* the judgements thus made. By the use of various technical terms, the enforcement of decrees may, at one moment, seem to be part of the executive functions, and, at another moment, it may appear as an indivisible fraction of the judicial power. The fact seems to be, that where there is a nominal distinction between the executive and the judicial, both are yet concerned with one and the same problem—that of enforcing accepted rules of conduct. Infractions of those rules, which result in open violence, are usually judged, in the first instance, and for the purpose of re-establishing order, by police officers who would generally be classed as “executive.”

On the other hand, the questions of property rights, or of personal rights, other than those of instant attack or defence of the body, are usually referred, in the first instance, to what we call the judicial branch of the government. But no well-defined line can be drawn in any of these matters. The mayor of a small town often performs both executive and judicial functions. The police magistrate of a large city often performs a truly Solomon-like function. There is no discontinuity, either in authority or in time, between the rendering of a decision by him, and its execution. The question attains importance only when the issues involved might require the exercise of a very considerable

physical force, if the decrees of a tribunal were resisted. Even in this case, the embarrassment will arise only in those countries which have adopted rules strictly limiting the power of the chief executive. If, in Russia, before the Revolution, the decree of a court required the exercise of considerable force because of some temporary excitement of the people, and if that force were refused by the Czar, the proceeding would have been, according to Russian ideas, entirely regular. It would simply mean that the Czar, in the fulness of his power, had decided to reverse the decision of the court. Theoretically, he could exercise, or delegate, as he saw fit, the functions of legislator, judge, and executioner. So, we may surmise, could Solomon, and his father, David. The practical limitations set upon those monarchs were imposed by religious leaders who claimed to interpret a presumably divine law. Those peoples, however, who have come to be jealous of the power of a single individual over them, have endeavoured to restrict it by the creation of bodies whose consent must be given to the enactment of new laws. Then the power of these two is further controlled by the setting up of independent tribunals which interpret the laws. Does political prudence require that judgements of these tribunals, when resisted, shall be enforced by an authority other than that which renders the judgement ?

As indicated above, in small matters, and matters requiring *instant* action, the convenience and necessity of the case have been met by transferring to some indicated official or officials the complete power of *judgement and enforcement*. In graver matters, there is no *formal* solution of the problem in several great

states ; yet final decrees are not left without force-sanction. An Executive takes oath that he will *enforce the laws of the land*. At the same time, a certain tribunal is under oath to *interpret* the laws of the land. The theory of the government as to *what* is the law of the land, points it out, as that which has been so determined by the decrees of the indicated tribunal. Upon this view of the matter, the Executive, who is usually in direct command of the organized physical force of the state, is under oath to use that force, when necessary, for securing obedience to the decrees of the tribunal. This may be given substantially as an outline of the situation in the United States, in England, in France, and generally in the so-called constitutional republics or monarchies. He who would resist a decree of the Supreme Court of the United States, could be put into prison by the direct order of that court, addressed to its own marshals. If large groups of men contemplated resistance to such a decree, their reasoning would justly be as follows : “ We are indeed too numerous to be coerced by the small number of men acting directly under the orders of the Supreme Court ; but, if we refuse obedience to this decree, we cannot suppose that the President of the United States will act in complicity with us ; and that he will break his oath of office by a failure to enforce the decree in question, which now expresses the supreme law of the land. We are, therefore, constrained by fear of a force as great as all that may be commanded by the President as head of the nation.”

There is of course a remote possibility that the President might determine to leave the Supreme Court without physical force as a sanction for its

decrees. That would be an act of revolution. Perhaps, better, it should be called an act of *rebellion* on the part of the President, and technically an act of treason. Against such possibilities, no system can be organized. If the case should actually occur, the Court, though deserted by the Executive, might yet save an imperilled Constitution by calling upon the public for the formation of a *posse comitatus*, strong enough to overcome all resistance.

The analysis of this particular American situation is thus presented because there are those who, advocating the practicability of an international tribunal without the creation of an international force, declare that the decrees of the Supreme Court of the United States have behind them no physical sanction. It is seen, however, that such sanction exists, save in the case of a break-down of the whole scheme of constitutional government, which binds together the legislative, judicial, and executive branches, in a much more intimate bond than is sometimes indicated in the writings of various doctrinaires. And the analysis above given, holds for most of the countries constituting European civilization, by a mere substitution of the proper respective titles for the courts of last resort on the one hand, and the Executive on the other.

Assuming then, the existence of centralized force, we have to inquire whether, in the case of an international tribunal, organized for the settlement of disputes threatening war, it would be found necessary, or desirable, that the military force should be directly controlled by a person or persons independent of the tribunal under consideration.

It has already been pointed out that in respect to

the enforcement of decrees, the Executive and the Court must be presumed to have an identical interest and an identical object. In states of a relatively simple organization, whether large or small in numbers, we often discover no formal distinction between the two powers, one of judgement, and one of execution. In states of more complex organization, and where the business of the public is multifarious in character, the distinction flows rather from considerations of convenience than from any conception of necessary separation between the pronouncement of a decree and such action as may be required for its enforcement. And in such states the Executive is usually charged with great administrative burdens not directly connected with the enforcement of judgement. In other words, the state could not exist if it possessed *only* a judicial organ, even though that organ could directly attend to the enforcement of decrees made in the settlement of disputes. The larger part of state activity has to do with the routine application of *unresisted* laws, freed from any contention of interests. Indeed, this function may be accounted as the first and proper activity of the executive branch of a government. When disputes arise under the law, and when these have been settled by whatever organ is indicated as the one of final determination, the essential point remaining to be covered, is that these determinations shall be observed. There is a logical continuity in placing the enforcement of this observance in the hands of the same power that has made and *fully understands* the determining decree. In practice, this simple rule is widely followed. The departures from it result from two causes, first, a care that judicial tribunals shall not be overburdened



through the discharge of duties that may be onerous and vexatious, tending to disturb that tranquillity of mind which is essential to the wise performance of the judicial function. Beyond this lies the fact that the Executive, or the executive and legislative bodies of a government, acting together, are fitly charged with the defence of the state against foreign foes. This necessarily places in their hands the control of large organizations of physical force. If, then, the decrees of the judiciary be contested by rebellious subjects, their observance is conveniently enforced by the same organization which has been created for the general defence.

Now, it is this control of organized physical force which has been the subject of the jealous care of all liberty-loving people. It is known to be the key which may open a door of oppression, as well as close the door of rebellion. It may plunge the nation into foolish and destructive foreign wars, or it may be used to subvert the liberties of the state which has created it, and thus to build up the detested power of the tyrant. Consequently, in all save those countries which preserve the principle of a simple and unchecked autocracy, we find that the power to direct the military force of a state is, perhaps, first given in general terms to a single official, or to a very small group, but that this power is then limited by various checks, intended to prevent its abuse. Thus the President of the United States is the Commander-in-Chief of the armies and navies of that Government. Yet he cannot appoint a second lieutenant without the consent of the Senate. He cannot declare war, this power being reserved solely to Congress. The same body has also the supreme authority over

military operations, as over others, by reason of its control of the national finance. Even the German Emperor, whose power is by some supposed to be almost autocratic, is subject to the Reichstag in respect to appropriations of money for imperial military purposes. No modern Government offers an example of the unrestrained creation and direction of large military forces by a single individual.

The chief obstacle now existing to the establishment of an effective international organization, is found in this same fear that great power may be abused by those to whom it is confided. And it must be recognized that the power to make decrees is a vain thing and a slight one, as compared with the power to enforce those decrees. If we are to make a simple instrumentality, and at the same time to guard measurably against the possibilities of oppression, we must refuse to place in the hands of *one man* the independent direction of such forces as may be available for securing the tranquil observance of decrees terminating international disputes. Even our school-children know that, having confided power over us for some desired object, we must in every case run some risk of suffering from the abuse of that power. But it would be folly to invite that abuse by the adoption of a system which is not demanded by convenience nor suggested by tradition. The *simplest* form of government is undoubtedly that which reposes in a single individual all the power of the state. And if we had not learned the danger attending this obvious simplicity, we might proceed to an international organization by the mere transfer to one man of the power to make and enforce decisions in all international disputes. That solution of the

matter need not be discussed. In spite of the disadvantage resulting from corporate action, and inherent in it, we shall all feel driven to favour the establishment, for purposes of international control, of a representative body large enough to minimize the temptations toward tyranny, and small enough to counsel with each other while seeking determinations of the questions presented for settlement.

The members of that body should be relieved as far as possible from routine administrative work, and also from the stress of those times when physical force must be applied as a sanction for decrees, or as a defence against nations not yet members of the international union. But this relief does not require the creation of an *independent* executive. It merely requires that a competent Executive should exist, and that he should be restrained as being either directly subject to the body just described, or otherwise subject to the constituent members of the proposed union.

If we reach this point in the discussion by sound reasoning, it remains then only to inquire as to the relative wisdom of leaving to member-states, on the one hand, or the great tribunal, on the other, the selection and subsequent control of an Executive, bound to act in the closest intimacy with the central body.

The difficulty of the former course is at once recognized when we reflect that to wisely choose, out of all the world, one man to fill a great office, is an almost impossible task. The election of an executive for any one populous state has ever been a matter of such great embarrassment that it still constitutes the severest political problem presented to such democracies

as that of the United States and other American countries. The continued use of the monarchical system, with widely varying degrees of responsibility on the part of the executive, rests largely upon the desire of intelligent people to avoid the disturbance and difficulty connected with recurrent elections of one individual charged with great power. By slow growth in England, the totality of executive work has been divided between the hereditary monarch and the leader indicated by secondary choice from a popularly elected Parliament. In France, a similar division has been instituted between the President and the Premier, both of whom take office through secondary choice. In many South American countries, the election of the executive is substantially made in the same way, even though in form it be more direct. And in the United States, in spite of the vast hue and cry for more direct action in elections, the people are restricted in practice to choosing between two men who have been set before them by secondary action. Considering these facts, and considering the difficulties presented by language and by distance and by race and by religion, it would seem a vain thing to select an executive, and subsequently to control him, through the voices of any save a select body representative of all the nations that may join in the projected union.

It would not be particularly difficult that the selection of such an official should be made by others than those who are to constitute the controlling body in the international organization. But it would be extremely difficult to apply effectively any checks upon such an executive, save through that body whose decrees he is expected to enforce.

It will be observed that this argument proceeds on the theory that the first international instrumentality will be one directed solely to peace-keeping. It is not presumed that vast and complicated governmental processes are being carried out, either by the general representative body, or by the executive. And once for all, it may be said that it would be entirely feasible to conduct through a single representative body other operations than those of settling disputes ; and, in such case, sound arguments might be urged in favour of a truly independent executive. But these arguments would not apply to the simple operations of an international tribunal for the enforcement of peace.

Having such an organization in view, we conclude that all necessary administrative work, including that of enforcing decrees, may best be accomplished by confiding these tasks to men chosen by, and responsible to, that body or those bodies which may be created for the final settlement of international controversies.

## CHAPTER XV

### POWERS OF THE TRIBUNAL

IN respect to the delimitation of the powers to be exercised by the proposed organization, enough has already been said to prepare the reader for criticism not only of the precise language appearing in the tentative draft, but also of the general scope of the powers in question. To repeat discussion on the latter point, however, would be in large part to repeat the survey of the various compromise plans treated in previous chapters. That ground having been covered, the major propositions setting forth the essential powers involved in a more radical plan reappear in formal language in the first four sections of Article 7 of the tentative draft.

The other sections of that article treat of ancillary powers, considered necessary for the due performance of the principal functions of the tribunal. These specifically relate to the establishment of such civil and military organization as the tribunal may deem necessary. For the support of all these organizations the tribunal has the power to *demand* funds from each state in proportion to its representation in the tribunal. It has also the right to acquire (by demand, if necessary) and hold such land, buildings, docks, anchorages, and rights-of-way as may be necessary for the

maintenance of its civil and military establishments. A further power consists in that of *demanding* disarmament within a fixed period of all member-states through the surrender to the tribunal of all national war vessels and of all frontier fortifications. The tribunal will retain such war vessels as it thinks expedient, and will also retain fortifications if there be frontiers between the member-states of the union and states not members.

In relation to these functions which require interaction between the tribunal and the member-states, the word "demand" is advisedly used. It is to be taken in strong contradistinction to the word "request." And it especially provides that the tribunal may enforce any of its constitutional "demands" by arms, if necessary. It is thought that all students of history recalling the sad fate of confederations which depended upon the grace of member-states will approve this provision.

The necessary elasticity in respect to representation is given by a provision fixing a decennial census-taking. Furthermore, changes in the list of actual sovereignties in the world, however brought about, are likewise contemplated, and the tribunal is empowered to recognize any new sovereignty that may come into existence. A suitable provision for amending the constitution creating the tribunal, appears as the last article in the tentative draft.

A vital point remains to be indicated—namely, that the proposed institution shall go into effect and begin to function, according to the terms set forth, one year from the date that any six of the following named states may have adopted and signed the Articles of Agreement—namely, the United States

of America, Great Britain, France, Germany, Austria-Hungary, Russia,<sup>1</sup> Japan, and Italy. Endless controversy might be indulged as to whether this is, or is not, a sufficient provision for instituting, with reasonable prospect of success, a peace-keeping union which might, at the outset, find itself opposed by any two of these great powers remaining outside the union. The world is now witness of a remarkable continuation of an apparently unequal struggle. It might be wiser that this provision should require seven, instead of six, of the great powers to join in giving birth to the new and superior power. Certainly the assurance of general tranquillity would be greater as each powerful unit in the world's family joins hands with others to forswear competitive physical contest. The point is one which will be considerably affected by the outcome of the existing war. It is, therefore, wiser to leave it now without further argument.

Often, when this plan has been outlined in conversation even the most sympathetic listener replies, "Yes, the tribunal might be established. But how do you know that it may not be overthrown by rebellion?" And the answer is, "We do not know." All human institutions may crumble. Rebellions have shocked, and sometimes destroyed, states that seemed firm and beneficent. Incipient revolt is hidden in the hearts of thousands of peaceful states, even when their rulers dream not of it. And if these rulers be not watchful and strong, the spirit that hides itself in the dark may come forth in the red light of rebellion. Every street brawl, indeed, is in some sense an affront and a challenge to the power that is

<sup>1</sup> This would now suppose a Russia reunited—probably through federation of several states made out of the former Empire.



instituted for the maintenance of order. Yet all these happenings do not make us despair; they do not discourage us into anarchy. We repair the edifice if it be breached, and build it anew if it be destroyed. We still aim at the same precious objective; we still set up the mechanisms to attain it. So should we cement with ever-renewed confidence the foundations of an international structure, even though at the very moment when we erect and consecrate it, we may know that the passions of our descendants will attack and perhaps undermine it.

There is also one element of assurance in the particular effort under consideration which is not immediately obvious. The peculiar power of a navy against a country possessing none has been so often advertised that it need not here be rehearsed. If the organization be effected according to the plan proposed, and if eventually all powerful nations become members of the great union, then the only navy riding the waters of the earth, or sailing in the air, will be that controlled by the international tribunal. The mere preparation to build a navy, if undertaken by a state of rebellious temper, gives instant warning to the central power, of the danger that may confront it. Unless, therefore, this world-navy shall itself be split in two by the spirit of revolt, the chance for successful rebellion would be so small as to discourage almost entirely those who foment it.

## CHAPTER XVI

### LEGISLATIVE POWERS

A LAW is a rule of action laid down to-day, or existing in the past, and controlling future actions of those subject to the law-making Power. It is presumed to be known to those who are concerned with it, and to regulate, when accompanied by proper sanctions, the affairs with which it deals. It is of course desirable that the light should thus shine in front of us, to make clear a peaceful path. The complexity of human relationships, however, has in all times rendered the task of law-making one of extreme difficulty. And when those having authority have agreed upon the wisdom of some proposed rule of action, further difficulty arises in the endeavour to give clear expression to the accepted ideas. One may say generally, that the most carefully drafted statutes are immediately put to trial in one or both of two ways. Some fact or condition is presented which was not contemplated by the law-makers, or some meaning is given to their words other than that which they intended. When correction is attempted, the process is usually repeated, and so on *ad infinitum*.

In the vast maze of human action, incidents arise which seem not to be covered by any existing rule. Particularly in our modern civilization, restless in all

things, we are continually met with conditions produced by the inventive spirit of our age, hence unfamiliar and unregulated. It is true that there are those who believe that the vague code called the "moral law" can be clearly applied to any contingency in human life. This is far from being true. The simplicity of statement adopted by such codes as the Decalogue is particularly deceptive in this respect. Thus the precept, "Thou shalt not steal," is of no avail until we append to it a complete law of property. And again, "Thou shalt not kill," is found, in practice, to be a rule which must be explained by a rather elaborate killing-code, permissible not only to the state but also to the individual. "Thou shalt not commit adultery," requires, for its application, full definition of the legal status of marriage in respect to age, consanguinity, legal number of spouses, and other like conditions. Indeed, it would be best to say that we have inherited from the past only a few general *notions* of right conduct, rather than to say that we have received definite, unchangeable, and sufficient *rules* of conduct.

By reason of the flexibility and the uncertainty inherent in all attempts at codification of human affairs, it has been necessary in all ages and in all countries to place the final decision of disputes at the more or less limited discretion of those agents of the state appointed for that purpose. Government steers a devious course between the would-be laws of parliaments on the one hand, and the operative decrees of courts on the other. In vain is there an occasional outcry against judge-made law. In vain do courts themselves declare that they fulfil only the function of interpreters of that which others

have determined. Over and over again such words as "fair," "reasonable," "equitable," "just," "customary," appear as snares for the unwary feet of those who imagine that they are treading a path of strict parliamentary control. These words not only *give* to the courts, but *require* of the courts, rulings which, in effect, are as original as those of an Eastern caliph. Even the oldest states find themselves embarrassed by novel problems which defy formulation, before they clamour for settlement. Nor is it unwise, especially when new relations are to be established, to frankly admit that determination of many possible disputes must wait upon the actual presentation of all the conditions surrounding them. It will not be possible to foresee all contingencies, and compass them by statute. It will be sufficient to provide that judicial decrees *ad hoc* are to be accepted as a proper guide in similar future situations, until some law-making power shall anticipate their recurrence through appropriate legislation. As a matter of fact, most parliaments, even those that may be traditionally jealous of their prerogative, and those enjoying exclusive legislative rights, are often found content with inaction, while the courts slowly build up precedents which are, in fact, not merely interpretations of law but exceptions, or extension of law, and finally are recognized as law itself.

This is the process which we find so largely written in the history of the upbuilding of all states when in relatively simple organization. And this method has much to recommend it in the initial stages of international organization. If a great tribunal is given the power to make decrees, solely in cases of international disputes not capable of diplomatic and

peaceful settlement, it will at once be debarred from entering the dangerous zone of a declared parliamentary body, and at the same time it will be gradually setting before the nations, rules of action expressing the majority opinion of a body of the world's best minds.

While this process is going on, further progress in the establishment of an international code may be accomplished through existing diplomatic methods. Engagements to observe specified rules of conduct may be made between nations, and expressed by treaties which would then control the international tribunal in so far as they are consistent with the general peace-keeping scheme involved in its creation.

Another effective means for enlarging the scope of international law is open to-day, and may remain open, without the formal establishment of a permanent legislative body. That means consists in the convoking, from time to time, of international conferences, charged with the consideration of specific propositions. In each case, such a conference may be clothed with the power of adopting statutes which shall be at once binding upon all the nations represented ; or, on the other hand, their authority may be limited to the *recommendation* of measures which shall not become effective until approved by all, or by an indicated fraction, of the Governments concerned. When duly sanctioned, such new codes would bind the international tribunal in its decisions.

Thus, in various ways, we may approach the establishment of a true Parliament of Nations exercising, within defined limits, the sovereign power of law-making. The point of extreme delicacy and difficulty is that of restricting the functions of such a

body to well-defined lines, while leaving to each state an undisputed control of all other social relations.

The general programme for present action would then be as follows :

*First*—To ensure against international wars by the establishment of a tribunal, and of a competent international force controlled by it, with the understanding that, for the prevention of war, the tribunal may make a decision and enforce it, whether or not, in the particular case, any existing law or treaty can be cited as directly as applicable to the dispute in question.

*Second*—Coincidentally with the establishment of the international tribunal and its military force, to disarm the assenting nations, except for the maintenance of domestic tranquillity.

*Third*—To evolve from these processes such independent executive and parliamentary bodies as the world's wisdom may gradually determine.

*Fourth*—To enlarge the scope of declared law binding national conduct, through general treaties, or through occasional international congresses, with the understanding that, if the international tribunal has rendered decrees from which general principles of action may be inferred, such decrees shall be held as binding precedents until modified by the tribunal itself, or by action of the constituent nations recorded in general treaties, or in duly authorized statutes of special conferences.

*Fifth*—To clothe the central body with the right and the duty to employ its military forces for the protection of member-states against any other states threatening violence.

These are the principles appearing in the tentative Articles of Agreement presented in this volume.

## CHAPTER XVII

### REPRESENTATION IN THE TRIBUNAL

IN contemplating the organization of an international peace-keeping mechanism, we consider first the composition of the new organ, and second the delimitation of its powers. In the preceding pages, reasons have been given supporting the belief that, at least in the earlier years of its existence, the organization should be marked by the following characteristics: First, it should be a single body, authorized to choose its own executive for ordinary administrative purposes. Second, it should directly control an armed force, whose military commanders should be named by it and be subject to its orders.

It remains to consider (*a*) the number of members of the superior central body, and (*b*) the method of selecting these members.

Both these determinations are naturally affected by the *object* of the organization. That object has been stated in various forms, and appears by inference in all the general arguments preceding. It may again be specifically formulated thus: (*a*) to make final settlement of *all* disputes, between member-states, which cannot be settled by direct negotiations between the parties, and which, being unsettled, produce a menace of war; and (*b*) to protect members of the Union from military attack by any other states.

It is obvious that the last-named function (b) vanishes if all nations enter the proposed Union.

An approximate determination of the proper number of members of the tribunal is obtained by premising, First, that it should be small enough to permit intimate personal intercourse, both within and without the official assembly Chamber; Second, that the number should be great enough to minimize the danger of domination by a single individual or a small clique of individuals; Third, that it should effect a reasonable compromise between the principle of *proportionate representation*, on the one hand, and another principle—that of the representing the *equal rights of many sovereignties*, on the other hand.

The first two conditions might be said to be roughly satisfied by any number of members from twenty-five to one hundred and fifty. The two principles cited in the third condition present embarrassments from which there appears to be no escape (if the first two conditions are to be observed) save by recognizing some inequalities in the representation of populations of various states, and by grouping a number of small nationalities, which will combine to select a single representative. Costa Rica contains a population of approximately 350,000. Russia contains a population approximately of one hundred and sixty millions. If the 350,000 of Costa Rica were given one representative, and if the Russian population should be given one representative for each group equalling the population of Costa Rica, then Russia alone would be entitled to 457 members. Obviously, if this ratio were applied to the whole world, we should bring together a multitude instead of a court.

It is known that this difficult question was the



chief obstacle to the organization of a permanent Hague Court. The influence of that court, according to the terms then contemplated, would have been far less than the influence of the tribunal here proposed. Nevertheless, the smaller states strenuously objected to unequal representation of sovereignties in a relatively unimportant body. They may be expected, therefore, to make the same protest in respect to a body which, if organized, would effectually control the destinies of nations, in so far as the elimination of war would affect them. It is obvious, however, that there is something quite grotesque in the suggestion that great states, such as Russia, Germany, the United States, and Great Britain, should have no greater voice in international affairs than Costa Rica and Guatemala.

Weighed against the pretensions of small states (with which all men sympathize) we must take the corresponding pretensions of men counted by their numbers. We must recognize that the small body of men and women who, by the accidents of history, have been grouped into a sovereign state, have not gained in actual importance to the world by that fact, save as possible storm-centres. And we must further recognize that the very spirit of the age, as it expresses itself in all political development, insists that relative power in determinations of common interest shall be fixed in some rough proportion to relative numbers.

The minor states should also be moved to a ready compliance with this principle of the organization of a world court, because of the great gain which its establishment will give to them under almost *any* system of representation. To-day their existence is precarious, largely depending upon the balance of

jealousies between the great powers. In contest with these latter, they must yield to the mere strength of their contestant. Surely their condition would be bettered if they joined the stronger nations in the establishment of a tribunal whose function will be to do justice among competitors. Weak individuals in every society are protected by the precedents of fair dealing, which are established by tribunals in dealing with powerful competitors. The very fact that besides the weak nations, a number of great nations, of nearly equal strength, are submitting themselves to control, adds something of moral duress to the conscientious efforts of a tribunal charged with the interests of all. This basis for just precedents may not be free from criticism as to its moral character. The fact remains, that the fear of establishing precedents which may, in the future, do gross injustice to a powerful litigant, places a restraint upon tribunals that might otherwise be tempted by influences emanating from a powerful adversary, and tends to ensure the even balancing of the scales of justice. Precedents once established are nevertheless *precedents*. They are valuable to the great, and their value cannot be preserved unless the principles which they illustrate are applied equally to small and great.

From another point of view, also, small states may free themselves from fear of oppression at the hands of a world court. These minor states, as well as their larger neighbours, differ much in character. Some are mainly agricultural, some mainly commercial, some mainly manufacturing. Some are in the front rank of civilization, some are in the rear rank. Consequently, springing from different social conditions,

no prejudice could taint the decisions of the world court without producing evil effects for certain large states as well as for small ones.

Geographically, racially, and linguistically, the minor sovereignties find themselves related to larger neighbouring bodies. It would be difficult to establish invidious distinctions, based on these particulars, without injuring at the same time *all* states, whether great or small, which are marked by the same characteristics.

There is, indeed, one important group of relatively inferior powers which show a certain solidarity among themselves without intimate relationships with any powerful neighbour. These are the nations of the New World, except the United States and Canada. In South and Central America we find a total of 74½ millions, divided among sixteen states, nearly one-third of the total number of independent sovereignties in the world. In each of these, the proportion of highly developed individuals is less than in most European states. It would not be seriously inaccurate to say that 10 per cent of the millions just mentioned contain all the elements of political activity that would understandingly enter into the establishment of a whole court. It would be quite vain that this class, attractive and enlightened as it is, should expect to wield nearly one-third of the total power through delegates in a great international tribunal representing the whole world. These countries have immense possibilities for future development. It will be sufficient, if the plan of representation in the tribunal is such, that the hoped-for increases of population will assure, when realized, an increase of representation.

Assuming some form of proportional representation, another grave question is presented by the wide difference in status between the dominant and the subordinated populations appearing in the control of one Government. Thus Great Britain contains approximately sixty millions of white, self-governing inhabitants in the three kingdoms and in Canada, Australia, New Zealand, and South Africa. These sixty millions are themselves divided into forty-five millions for the three kingdoms, and fifteen millions for the white colonies. Up to this time, the former class has dominated in all foreign relations and has exercised complete control over approximately four hundred millions of subordinated people in India, Burmah, Egypt, and other scattered possessions of Great Britain. The trend of events justifies, however, an inclusion of the white colonists with the dwellers of Great Britain in any category based upon international interests. The problem may then thus be stated: In a scheme of representation, in a central world-organization, shall the sixty millions of self-governing people in the British Empire be taken as the total of that Empire, or shall the subordinated populations enter also? And if these latter enter, shall they be given the same weight as is given to the white populations? Shall the population of Holland be taken at its six millions of white men, or at its thirty-seven millions of white and brown men? Shall we classify populations as "dominant," and "subordinate," and make different representation figures for these classes?

The complexity of human affairs is such that no definitions define with perfect accuracy. When we speak of "self-governing" populations, or "domin-

ant" or "subordinated" populations, we are using terms which cannot be instantly and uniformly interpreted in their application to facts. The possessions of Great Britain, for example, have varying degrees of autonomy. It would not be difficult to place Canada in the same category with India through the use of some formula which would be speciously true and substantially false. In another direction, one might cavil at the application of the word "self-governing," even to the Russian population of the Russian Empire. All these doubtful cases, however, *must* be resolved in some definite way. No principle of ideal clarity will be found to guide in the settlement. General principles say to us, "The path of progress leads in this direction." But whether we shall make a cut here, or a hill there, whether we shall ford a particular stream or whether we shall bridge it,—for these minor problems we turn to rules of thumb. It is rule of thumb, not heavenly inspiration, which fixes *twelve* as the common-law jury; which fixes the age of *twenty* or *twenty-one* or *eighteen*, and not some other age, in each country as that which marks a man's right to vote. So must we rough-hew our way in making all practical institutions. Not from the Bible, not from the Koran, not from Confucius, not from Aristotle could any principle be deduced to guide the framers of the American Constitution when they considered the question as to how their slave population should be reckoned in determining the number of representatives that each state should have in the national Congress. But a determination was required, and it *was* made. The negro slave was accounted as two-fifths of a white man; and the Indian was

excluded entirely. Nor shall any man ever be able to declare whether this fraction or some other would square with whatever abstract rule of justice the case involved.

So it is in the draft which the following pages present. Certain determinations are suggested for representation of self-governing, as distinguished from subordinate populations. An infinite number of variations from those suggestions might be entertained, and perhaps any one of them would work as well as the other.

There is one great nation in the world which, in our present problem, presents a special difficulty. That difficulty must also be solved by some rough rule of thumb. The population of China is supposed to be about four hundred millions. They may be called self-governing or not, according to one's point of view. Except for the differences of influence which are everywhere inherent in differences of intelligence and wealth, the whole population seems to be substantially on the same political level. If this population be given representation proportionately to its numbers as great as the representations given to other states, then China would appear in the world's court with as many representatives as the United States, France, Germany, Italy, Austria, and Russia combined. It is conceivable that a court thus composed would wisely determine the world's international quarrels. But it is scarcely conceivable that such an arrangement would be accepted by those nations whose co-operation is absolutely necessary for the accomplishment of the purpose in view. We must, therefore, rudely decide that the population-ratio applying to China shall be different from that

applied to other countries. Again, no man knoweth just what difference in population-basis should be established in this case. The tentative draft offers a particular ratio which will at least serve as a starting-point for discussion.

## CHAPTER XVIII

### SIMPLICITY

WE have already seen that the establishment of two kinds of tribunals instead of one has been advocated by a number of students of international questions. This proposition seems to be based partly upon the theory that certain classes of disputes could best be settled by technical international lawyers, while another class of disputes would not require such a qualification. Something has already been said as to the difficulty which would be met in making the distinctions proposed by the proponents of this plan. It is now desired to emphasize the very great need of *simplicity in general* in that organization which may first be set up to undertake settlement of all international disputes threatening war. Is it not familiar experience that quarrels grow out of complicated systems? We cannot hope to avoid increased complexity in the growth of any system. But its growth supposes that tradition and time have strengthened the system. When its general benefit has been accepted, or when even a bad system has been rooted in the habits of the people, quarrels about procedure are borne as a necessary evil. It is said of them, "Ah, well, this can be remedied to-morrow." Or the more ignorant among the practitioners come to



revere the absurd complications of their profession, and stand for them as though they were the very essentials of government. But such conservative forces will not surround the first establishment of international tribunals. The pride of sovereignty will fret against the meshes of technical procedures, which, in a later day, will be viewed as handicaps by broad minds among international lawyers, and will be cherished as the glory of their profession by their brethren of smaller calibre.

The experiment of an international control will be fraught in any case with many difficulties. Let us pray that we shall not have to contend with those that will be set up by lovers of hair-splitting definitions and of hoary riddles of the law. Is it not possible that a single body, to which shall be referred all disputes, shall be so constituted as to contain within it the necessary elements of technical learning, and also of that broader wisdom which keeps the world going? It is not to be denied that, even though a large part of international law will cease to exist by virtue of the abolition of war, a modicum of that code will remain, and that it can probably best be administered by experts. It is also probable that rules for the interpretation of treaties, if regularly referred to a tribunal when in dispute, will finally attain that rigidity and technicality which hold in the interpretation of private contracts. And these rules of interpretation may best be administered by experts. But it is recognized even by the proponents of the double court system, that wars are chiefly fought about things lying outside the international codes and outside of anything but the most elusive elements in treaties. For the determination of these

great questions, referable to national ambitions and national policies, we must rely upon an application of the common sense of the time in which we live. The beginnings of a true international jurisprudence must rest upon the foundations which were laid in private law by the decrees of kings and dukes and barons and chiefs of tribes and headmen and generally people of wisdom and strength and action.

Is it too much to suppose that, in a body representative of all, or a considerable part, of the nations of the earth, we may find the various talents required for the best determination both of the little questions and of the big ones? Will it not be simpler, will it not avoid needless strains upon a new mechanism, if we let all quarrels go to this one body, confident that within its councils the expert will be called upon for the splitting of hairs, and that the sage and the expert will combine when Solomon-like decisions are to be made about questions which know no law?

Is it not possible to establish an international tribunal having the permanency of a court, competency for making truly judicial decisions, and at the same time enjoying that wide jurisdiction and discretion which we associate usually with the board of arbitration?

## CHAPTER XIX

### AN INTERNATIONAL ARMY

THE organization of an international army has seemed to some students a matter of almost insuperable difficulty. Yet we see to-day large operations carried on by composite forces. Great Britain and France use troops speaking various tongues and representing various races. Austria, Bulgaria, and Turkey manage to co-operate quite effectively with Germany, though their forces are polyglot to a remarkable degree. That such a condition is advantageous no one would assert. That it is workable, however, all must admit. Indeed, the administrative difficulties of heterogeneous commands have been so often surmounted, that they can no longer be urged as a serious drawback to military operations on a large scale permitting separation of considerable units according to the demands of language or race.<sup>1</sup> For small operations homogeneous bodies would always be available.

<sup>1</sup> It is suggested (in the tentative draft of the Articles of Agreement appearing below) that the international authority shall determine the number of soldiers and sailors required for their purpose, contributions to the personnel and to the cost of material to be made by member-states in proportion to their representation in the tribunal. Conscription may be demanded if volunteers do not offer themselves in sufficient numbers.

In a short time it would be possible to create a corps of polyglot officers assignable to serve with organizations of several tongues if it were thought desirable thus to diminish national solidarity in the army and navy.

The really important question in this branch of our inquiry must relate to the willingness of a composite army to perform *any* act of coercion ordered by the central authority. Would French troops, having taken oath to obey an international authority, fire upon other French troops organized to defy the great tribunal, whose decisions the French Government had agreed to respect ?

Before answering this question, let us consider the problem of organizing an army and a navy to constitute a *true international* police, acting solely under the orders of the new central authority (however this may be constituted). The total number required will depend upon the relative strength and situation of the united governments, as compared with that of the governments remaining for a time outside the pact.

As elsewhere stated, the scheme of organization supposes (for its best results) the adherence to the new order of five or six among the following powers : Austria, Great Britain, France, Germany, Italy, Japan, Russia,<sup>1</sup> and the United States. It is obvious that the effectiveness of any two of these nations, considered as possible adversaries to the Union, will depend upon their geographical relation to each other, and to the powers in the Union.

One of the most difficult cases would be presented by the refusal of the two central empires to join the proposed organization. If, after the end of the existing war, they should be able to support armies

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Prudence might at times suggest the stationing of troops of a given nationality in countries other than their own.

All these matters of detail would be determined, at the proper moment, by the central authority.

<sup>1</sup> Presumed to be unified through federation or otherwise.

on a peace-footing equal to those maintained in 1913, the other united powers would doubtless find it necessary to maintain at least an equal number, viz. about 1,300,000 regulars, and a reserve body correspondingly strong according to the usual European standards. Now the number of regulars in France and Russia alone was greater than this total. The relative unpreparedness of these troops as compared with Germany's (if such unpreparedness existed) need not be characteristic of the proposed international army. It is possible for other nations, co-ordinating their efforts through one great agency, to provide men, munitions, and methods of maximum efficiency. The united powers, it must be remembered, are relieved from all other military solicitudes save those that might be due to action of smaller nations. These, by division, would, at worst, balance each other in any belligerent question; they will, for the present, be left out of account.

It is obvious that no German troops could be transported across the Atlantic in the face of great hostile fleets. Consequently, the American contingent of international troops would be *permanently available* in Europe, wherever the best military judgement would place them. So also English troops (or rather, international troops from England) would be stationed on the Continent. The Japanese contingent might be stationed on the Russian frontier, or, possibly, all her proportion of land troops might be converted into a larger proportion of sea-force. In any case the whole strength of the united powers would be *instantly* available against the central empires. No vacillations of national politics affecting one or the other of the affiliated states need turn

aside their general agent from the most complete preparation against attack.

It must at once be recognized that the economic value of the Russian population is less, man for man, than that of Germans and Austrians. This inferiority extends in less degree to military value. But, making due allowance for this fact, we cannot doubt that the 410 millions of self-governing people (leaving out of account their controlled populations) in the six great states acting as one, would be able to master, without serious difficulty, the war efforts of 100 millions in the smaller combination. It may be objected that the present situation demonstrates the power of the 100 millions (aided by two weaker states) to punish terribly, if not to defeat, the very combinations which are supposed to be united for the establishment of an international tribunal.

The vast power of the American Republic is, alone, almost equal, in military *potentiality*, to that of the central empires. But the difficulty of transport for men and supplies, even when the port of debarkation is friendly, diminishes by a very heavy percentage the fighting value of American resources, as compared with those of European powers, for campaigns on that continent. If, however, this distant giant had been trained for war, and if, automatically, his proportion of disciplined strength had been already placed (wholly or in part) in European territory, we need not doubt that the present war would have been profoundly affected thereby. And so, if Great Britain, Canada, and Australia had systematically devoted only half the energy to military preparation that was given in Germany, Austria, France, Russia, Italy, and Japan, we must suppose that their force,

and that of the United States, being added *at the outset*, would have determined the contest in an exceedingly short time.

We may now consider another interesting combination—Great Britain and the United States remaining out, while the six other great powers join to establish an international tribunal. It is obvious that if we now suppose the two outside nations temporarily allied against the Union, we deal with different ratios of land- and sea-forces from those indicated by the first example given. England could scarcely hope to avoid invasion if the French shores were the points of departure for international troops directed by the combined genius of Germany, France, Austria, Russia, and Italy. Japan would be the base of operations against British India, and also against the western coasts of the United States. The latter country, in order to make any offensive use of her countless men, would find the whole European continental coast in hostile array. The French coast would offer submarine bases for operations in British waters, rendering almost or quite impossible the supply of British needs (men and food) from America. To blockade the vast territory extending from Brest to Vladivostock would be vain, even if possible, since the only trade lost to the conjoined continents would be that of Africa and South America, besides that of the presumed belligerents.

The only condition upon which the enormous strength of the English-speaking nations could be made to stagger the supposed united powers is this—that by an overwhelming naval supremacy they should obtain an overwhelming naval victory, permitting subsequent attempts to land in France, in

Italy, and possibly in Germany. The relative wealth of the two combinations is such as to impose, even upon the two richest among nations, an intolerable burden if they would rival the possible fleets of the opposing six. Granting, however, a successful landing of considerable numbers, it seems clear that the man-power of 390,000,000 of people occupying contiguous territory (except Japan) would soon be able to repel the boarders. Particularly must we suppose this result, when we reflect that no Anglo-American naval victory could be so complete as to destroy all the international submarine fleet, which would sorely press upon the transports from England and the United States. Protected from internal trouble throughout their vast bulk, the united powers would be subject to a very slight burden of army preparation in order to meet the possibilities of attack from land-forces in the case we have now before us. On the other hand, Great Britain would be required to sustain a huge army as well as a fleet of greater relative proportions than she has heretofore attempted. The United States, though largely protected by two oceans, would also be heavily burdened with armaments by land and sea if Americans preferred war to judgements in their controversies with members of the Great Union.

If Germany and Russia<sup>1</sup> be taken as the two outstanding great powers, we are confronted by a more serious problem than in either of the two cases just considered. A total population of 225 millions would be set against 340 millions. This disparity in numbers would be in part compensated by the magni-

<sup>1</sup> Here, as elsewhere, Germany and Russia are regarded in their pre-war magnitudes.



ficient technical development of Germany, and by the continuity, magnitude, and variety of territory occupied by the two great nations, which might, in temporary alliance, make head against the supposed International Union. Their weak point is obvious, viz. the readiness with which the limited sea-coast of Germany and Russia could be blockaded. Such an operation, however, in the strict sense of the word, would not be of importance. A mere refusal of commercial intercourse by the six united countries would inflict almost the whole damage usually accomplished by the strictest blockade, as the outstanding small powers contribute little to the traffic which either Russia or Germany would specially desire to maintain. Consequently, naval operations would appear in the form of Russo-German submarine attacks on the seaborne commerce of the larger combination, and in great naval combats; or in such an extraordinary imprisonment of one navy by another—as we now witness. Even if German or Russian ports were seized, and troops landed in large numbers, it cannot be supposed that any considerable progress to the interior would be possible, on account of the vast defensive forces available for attacks upon front, flank, and communications of the invaders. In fine, it appears that if a more enlightened and better-organized Russia be allied to Germany, and if both should be trained to arms as the Germans were in times of peace, there would result a self-sustaining combination quite invincible and almost invulnerable.

It will not be necessary for our purposes that we should discuss all other possible combinations of two, even among the greater of the great powers—such as Great Britain and Germany, the United States and

Germany, Russia and the United States, Russia and Great Britain.

As to the pairing of less powerful states, *e.g.* France and Italy, Italy and Austria, Austria and Japan, etc., we need only remark that any solution of the difficulties presented by the other cases would more than cover those arising from this second category of dissidents. Enough has been developed to show that each such combination would suggest a different total strength for the armed force of the international tribunal, and different ratios between its army and navy. It is also obvious that if such a formidable pair as Russia and Germany should determine to maintain heavy armaments, and should further enter into a close and permanent pact similar to the one binding six other states of the eight, then there would be slight immediate diminution for the whole world in the matter of military preparation required during time of peace.

Assuming no other obstacle to the establishment of an effective peace-keeping mechanism operating between six of the indicated states, would the refusal of two, such as Russia and Germany, give reasonable ground for deserting the whole enterprise? We think that a very confident "No" may be uttered in reply to this question.

If there is value in the extension of judgement and peace throughout the body of each nation, so will there be value in the extension of tranquillity throughout the body of united nations, even while still confronted by two great independents in the world. These latter, in order to permanently count upon, and efficiently use, the potentiality of both, in any contest with the six, must adopt a similar union

to that which we now champion. Otherwise, each must constantly fear that it would be left alone "outside the breast-works," if the other were moved to go in, or that this other, instead of being an ally or neutral in case of trouble with the combined six, would join them, and thus inevitably crush the sole disturber of the general peace. In other words, the unorthodox two, in seeking maximum military efficiency against the orthodox six, would be forced to follow their example. There is little to recommend the creation of *two* unions. But since we are very unwise, that course may be adopted. If adopted, it carries at least this benefit, that within both the great unions thus formed men would learn to cherish the blessings of secured tranquillity, in their relations with each other. So it seems that even if we grant a deplorable continuance, for a time, of militarism *à deux*, we may also assume that in each of the bristling camps men *must* forsake the doctrine that love of one's own country involves opposition of some sort to other countries. And, above all, the functioning of the international tribunals, each within its own jurisdiction, will accustom all the world to the theory and the practice of *nations submitting to judgement*.

Here is the final solvent for that refractory mass of prejudice which now blocks the path of progress. If only we can soften it somewhat by the maceration of reason and analogy, if only we can obtain permission of Bourbonism everywhere, *to make the experiment*, then we may trust to a realization of benefits for the universal extension, or the universal rejection, of the plan of international judgement. If it fails to satisfy our successors, that failure must announce itself by disasters of the same kind with those now befalling

us, and which, it would then be concluded, inhere in all possible international relationships. They could not be chargeable to the peace-experiment *as such*.

The example of *national submission to international judgement* should be our objective. If that example be given by only two states instead of six, then let the start be made, let the lamp be lighted. Armament would still be necessary—perhaps on a scale as large as demanded by the present situation. But the gain due to suppression of war-risk between the two pioneers would, we think, inevitably result in a gravitation of other units into the same system, or into independent systems based on the same principles, and the eventual consolidation of all. Such at least has been the history of similar movements among the groups constituting many of our existing states.

After this necessary digression we return to our inquiry into the size of armaments required for the proper functioning of an international tribunal, instituted by six out of the eight great powers. It has been seen that, for defence against the other two, if these have favourable geographical relations to each other, and continue the military system existing in Europe before the war, it will be necessary to establish a *very strong* international force. Just how strong it should be cannot be known until the particulars of the case are actually presented. But this much can be foreseen, that protection against two external and heavily armed units will require *more* force than would be needed for the suppression of a possible revolt by any two of the *unarmed* units within the combination. But, it may be said, all

these states *are* indirectly armed, since they have contributed to the total of the international establishment, and that citizens of the recalcitrant states, now soldiers of the Great Court, would withdraw, following their former allegiance, and abjuring their sworn obligation to obey no other than the central authority.

Such an assumption is needlessly pessimistic. In support of it will be urged the action of all military and civil officers of the United States Government, citizens of seceding states in 1861. The situation then presented certainly offers a parallel as near, perhaps, as any other in history, to this hypothetical case we are now discussing. Happily, the occurrences of 1861 suggest at least a partial remedy. *We must remove all doubt as to the priority of allegiance between the two sovereignties served by international officials.* Unhappily, in the American Civil War, men conscientiously believed that it was their duty to follow their seceding states—even though, individually, they might deplore the fateful decision for separation. Viewing the American Constitution as a contract whose terms were to be understood by the usual rules of legal interpretation, the question was a debatable one. But why should any similar discussion be left open in the oath of office made by officers of the New Order? Will it not be possible to make it clear that he who would desert his international post could do so only by a frank act of *rebellion*? That, indeed, was, and is, the word often used to describe the acts of those who organized the Confederate States of America. To many Northern men it seemed *not* a matter of doubt as to whether the combining states had surrendered their right to withdraw from the Union. But the point *was*

debatable—until a blood-written amendment to the Constitution settled it against the Southern contention. If now, we suppose sufficient wisdom to guide us in our proposed experiment, we shall not wait for that sort of decision on the particular matter of primary allegiance. And consequently we may suppose fewer defections for the support of what must be an avowed *rebellion*, than for what otherwise would be an alleged *right* of secession, carrying with it an individual *obligation* upon each citizen to follow his state out of the Union.

But let us suppose the worst. Let us suppose that France should rebel against the authority which she had helped to create, and that all Frenchmen in the international service should refuse obedience to the Great Court. If we assume that Germany and Austria-Hungary are outside the combination, we have seen that a force of approximately 1,500,000 men might be carried by the Union for protecting its members against external enemies. In the total of such a force there would be approximately 250,000 drawn from France. It would follow that the Court, wielding all the force of five other great states, would promptly crush the rebellion—*without even requiring French soldiers to fire on their own nationals*. Indeed, the armaments required for such possible internal disturbances would be small, since, by supposition, no member of the Union is to possess a navy (aerial or aqueous), and is to have land-forces only sufficient for domestic police. The case thus becomes similar to that in any existing state which must maintain authority over its minor territorial divisions.

In the administration of all governments, it is frequently found that in the higher duty to the state

as the great sovereign, men do obediently go against their neighbourhood or class interests. Is not a world-peace a big enough objective to inspire to similar action the sailors and soldiers of an international force ?

## CHAPTER XX

### HOW TO PROCEED

THE number of existing sovereignties in the world is about fifty.<sup>1</sup> The number of great powers (the word is somewhat elastic) may be taken at eight or ten. The co-operation of say five or six of these eight or ten would probably be necessary to the successful establishment of any international organization strong enough to compel peace between its constituent elements, and to protect these against exterior foes. It would seem to go without saying, however, that any plans undertaken for the establishment of an international tribunal to keep the general peace should contemplate the adherence of all the states of the world. If a preponderance of wealth, population, and intelligence were represented in the initial organization, we need scarcely doubt that hesitating units would soon find their best interests served by coming into a door which should be left swinging wide open, with a welcome to all nations seeking admission. If, then, the world is at all ready to proceed toward such international organization, it is important to consider the best means of reaching a conclusion.

Excellent books have been written in support of a general doctrine of world organization. A number of

<sup>1</sup> 1917.



societies exist throughout the world for the purpose of educating sentiment in favour of ideals which, for the most part, however, have been expressed in very general terms. Three notable donations, the Carnegie, Nobel in Norway, and Ginn, have placed at the disposal of trustees large sums of money, the income from which is available for peace propaganda. The establishment of the Hague Court, and the conferences held at the Hague subsequently, have done something to accustom the minds of men to the thought of peaceful international settlements. It must be remembered, however, concerning the Hague Conferences, that they dealt almost exclusively with the rights of neutrals and belligerents in times of war. There has been, in these conferences, and also in many unofficial gatherings throughout the world, a certain reluctance to discuss the details of an international organization, designed for peace rather than war. Several minor wars, and the great one now raging, followed after the establishment of the Hague Court. The insignificant part previously played by that institution, and its present utter eclipse, have tended to discourage many earnest devotees of the idea of international peace organization. It is now vain to regret that the Hague Conferences were restrained by the governments represented there, and by the character of the delegates, from the discussion of constructive measures. We must simply recognize the fact that conscientious men, both those giving and those receiving instructions to delegates, believed that their best work lay, first, in setting up a forceless Court, to which disputes *might* be taken, and second, in ameliorating and clarifying the rules of war, while leaving warfare unchallenged as the

world's sole control. We see now that it is unfortunate that men's hopes were ever raised by establishments whose futility was always understood by a few, but was not recognized by all, who wanted to see the world move toward an organization possessing the necessary mechanisms for preventing war. In the general chaos which has now overwhelmed the so-called Court, and the agreements of the Hague Conferences, we discover one of those well-meant failures which so often precede success. There is something fine, and something a little pathetic, in loyalty toward their fallen idol on the part of those who so devotedly aided in its construction. From that failure we may learn useful lessons.

We must now see that the world cannot be re-organized *away* from war and *into* peace by diplomacy in the old sense of the word. The question is too big for foreign offices. It is too big for delegates whose instructions are limited by the circumscribed powers and the personal views of half a dozen ministers throughout the world. The thing proposed to be done is radical. To be effective, the thinking men and women of the great and enlightened nations must *understand the sacrifices of national pride* (in the old sense) which are required for the obtainment of the new life of nations working under a new control. And they must have a certain enthusiasm urging them toward those sacrifices. But fine enthusiasms, even among these thinking people, will not suffice. A working mechanism cannot be established save through a series of compromises involving, first, an attack upon the traditional fetich of absolute national sovereignty, and, second, an adjustment of widely variant ideas as to the proper representation of states

in the international council or tribunal which they shall create ; and third, an expression, as accurate as possible, of the powers granted to the tribunal.

Some there are who hope that, in the gathering of statesmen for the making of peace-treaties at the end of the existing war, agreements may be reached for the permanent establishment of a peace-keeping instrumentality. The rôle of prophet is dangerous. Perhaps, ere these words can be printed, the event may have given denial to the author's belief that the great European war will be ended, as were all its predecessors, by a patchwork peace-treaty. Should the more optimistic opinion prove correct, all who have laboured in the past toward world organization will rejoice, even though their prophecies be thus brought to naught.

It seems now that three causes would generally conspire to prevent temporary peace-makers from accomplishing the greater task. First, there is the haste of war-weary nations to lay down their arms and return, for a time at least, to paths of peace. When on one side or on both sides of a great contest exhaustion demands relief, that demand will not wait upon the radical adjustments required for an entirely new order in the world. And second, it does not seem probable that those delegated to end a war will have had time to study and formulate and confer about the conditions determining a true international organization. Every public man in belligerent countries is strained during all the war-period by the insistent problem, "Give us this day our daily ammunition. Deliver us from evil, and deliver our adversary dead into our hands." He has opportunity for consultation with neutral powers. Those who

must confer for ending a particular contest bring to the round table sensibilities still raw, minds still surcharged, with the brutalities, the suspicions, and the hypocrisies created by war. Under such circumstances, their task is heavy enough merely to find the way by which soldiers may be led from the camp back to the field and factory, without any guarantee that the sons of those soldiers shall not, in a short time, retrace their fathers' steps. And third, so profound are the changes required for an effective international organization that, in the case of some countries, constitutional obstacles will be presented against the immediate adoption of the requisite agreements for transferring a vital part of each sovereign power to a new and superior sovereign. This phase of the matter will be further considered. It is mentioned now to fortify the suggestion that none of us may optimistically count upon the establishment of a new order as part of the proceedings that will end the present war, or any other similar strife. Should the contrary happily prove true, then the *raison d'être* for this treatise will have ceased to exist. It will therefore be completed on the supposition that years, nay, perhaps decades, must pass ere the new and radical mechanism can be set in operation.

Looking forward to that uncertain interval, it seems best to consider practical means for acquainting all thoughtful citizens of the world with the essentials of international organization. In the same interval, also, if constitutional obstacles are found anywhere to exist, the necessary steps for their removal should at once be undertaken.

To this end, all legitimate measures of propaganda may well be used. Associations may bring together

great conferences; press and platform may be enlisted to arouse and inform public opinion. The cause is great enough, and its difficulties grave enough, to warrant every legitimate effort on the part of every convinced advocate.

In unofficial, educative propaganda it is not easy to present in concise terms the various provisions which, in some form, must eventually be adopted if we are to gain the end. The discursive enthusiasms of orator and journalist are not sufficient to direct the drafting of instructions which must eventually be given to the delegates going to some great international conference to compose articles of agreement, thereafter to be submitted for final adoption or rejection to the senates and the peoples of this our distracted world. It will not be sufficient to create a general cry for world organization. Those who constitute government must themselves be convinced, educated, and moved to express in concise language the things which their people are willing to undertake. For this necessary part of the whole work, we suggest that no better means can be found than the *simultaneous consideration by responsible parliaments of identical propositions looking to the establishment of an international tribunal competent to enforce peace among the nations.*

This object can best be accomplished by the introduction into the appropriate bodies of resolutions pledging the respective governments to the general principles appearing in a uniform tentative draft of articles of agreement covering the subject matter in question.

If the consideration of these articles is *simultaneous*, each deliberative body will obtain, after short delay,

the results of discussion in other similar deliberative bodies. Views expressed in Tokio will be compared with those announced in Vienna, Paris, and Washington. A debate thus extending round the world cannot fail to elucidate, in the most instructive manner, a great subject, in which the whole world is interested.

The value of placing this discussion before the rostrums of *responsible parliaments* will be at once obvious to all. The observant citizens of every country will be concerned about the opinions of their chosen legislators, since those opinions may at any time be formulated into effective votes, determining official action. There is a certain understandable indifference, on the part of the public, to the discursive, well-intentioned, unofficial debates that are annually held in such assemblies as those that gather at Lake Mohonk, Geneva, or other places of resort of the volunteer peace-workers in Europe and America. It may be difficult to arouse the keen and consecutive interest of the general public when engrossed by all the pleasant solicitations of their personal affairs during years of peace. But certainly that difficulty will be less if a few earnest men, members of every responsible parliament, can be inspired to urge, on all possible occasions, *official* discussion of some programme looking to world organization. This task should be undertaken with full knowledge of the lethargy which opposes any general reform in human affairs. The present-day excitement about international questions will probably disappear with startling rapidity when the trenches shall be vacated and the factories filled again. Eager to repair the losses suffered during years of war, men will fling

themselves whole-heartedly into the industries from which they have been withdrawn. It will then be the duty and the privilege of steadfast minds to press forward on those paths which will lead to better things for the oncoming generation. The public will indeed be absorbed to a large extent by the revival of peaceful pursuits. Yet the *memory* of war's ravages will be fresh throughout the world. If those who govern will but lead, they may, within the next ten or fifteen years, obtain a following and a support which might be largely lacking thirty or forty years hence. If the work of international organization be considerably delayed, the world will probably again be lulled into a false sense of security, only to be once more plunged into war because of failure to establish peace-mechanisms, without which mere philanthropic peace-sentiment will be of small avail.

In advocating that discussion should take place in responsible parliaments, we have in mind also the public character of such discussion. The big thing which is to be attempted cannot develop in the whispered councils of the diplomat. Secrecy and intrigue belong inherently to negotiations which are clouded by the ever-present menace of war. It is an often-expressed hope of certain optimists that democratic governments will be able to escape from those dubious situations which up to this time seem to be connected with, and to grow out of, secret diplomacy. The hope does not seem to be well-founded, unless the great radical change proposed in these pages shall have been accomplished. War, and the preparation for war, are of one substance. If "A" and "B" judge that they have a common cause

against "C," and that that cause may lead to war, then their alliances and their varied preparations will, as far as possible, be conducted in such fashion as to mislead the potential enemy. It is good warfare to deceive and surprise the force which is attempting your destruction, as you are attempting to compass its fall. The wise general cannot take his own soldiers and his own fellow-citizens into a public discussion of the plans which he revolves against the foe. Responsible statesmen, conducting foreign affairs under present auspices, must sometimes adopt that wariness of method which marks the successful warrior.

But, normally, *parliamentary* discussions are open. This openness produces a healthy reaction between the representatives and those whom they represent. And if the discussions relate to methods of *avoiding* war, rather than to the maintenance of interests ever threatened by war, then there would be not wisdom, but folly, if men should speak in whispers, and behind closed doors.

Advantage is also to be found in the suggestion that *identical propositions*—that is to say, some uniform tentative draft of articles of agreement—should be laid before the various responsible parliaments of the world. How else can we accurately and promptly record the progress of agreement (or disagreement) with respect to particular provisions? The plan suggested is in everyday operation among practical men of affairs. A certain enterprise involving a proposed contract between the parties has been discussed in general terms by the boards of directors of two companies. In each board the discussion may continue in somewhat desultory fashion, each member



conceiving specific elements of the proposition in terms which he does not clearly formulate, either to himself or to his associates. Finally, a tentative draft of the contract is drawn, and in this draft *some* disposition is attempted to be made of each of the problems arising in the complex of the whole affair. The particular disposition made in such tentative draft may represent the views of only one man. Indeed, it may not represent his own views in their maturity. Nevertheless, from the moment that such draft is laid before the two boards of directors, the progress toward final agreement or final disagreement becomes far more rapid than could otherwise have been the case. Discussion, instead of being desultory, becomes direct and concrete. Article III. is adopted as drafted. Concerning Article IV. there is much difference of opinion. Paragraph 7 of Article V. is declared by Mr. Smith to be wholly unreasonable. Mr. Jones, who stands for it, then asks, "And what is your substitute for paragraph 7 of Article V.?" If Mr. Smith's mind is really clear on the subject, his substitute will be proposed. If his temperament is one which runs to vagueness and to equivocation, he will be embarrassed into silence. Effective discussion may then revert to other specific provisions, each taken in its turn to be accepted, rejected, or modified. A similar procedure takes place in the second board of directors. Comparison is made of the results; points of disagreement stand out bold. The latter, referred to proper committees, are made the subject of further negotiation without the handicap of misunderstanding concerning the real points at issue. And in due time the child is born, or it is not born.

Is it too much to hope that this familiar practical line of procedure may be adopted for the making of a very important compact by those great companies which we call nations ? In each one of them is some deliberative body corresponding to the board of directors of a commercial organization. Delegates to international conferences correspond to special committees of the board of directors. These delegates may have powers either for final action, or only for recommendation, reported back to their principals.

During a number of centuries there has been discussion of various plans, more or less vaguely outlined, for the establishment of an international peace-keeping mechanism. Is it too early to hope that these boards of directors may now, within the next few years, undertake the discussion of some tentative draft presenting specific provisions covering the subject matter of these secular hopes and endeavours ? Obviously if the method here suggested were actually undertaken, we should at a relatively early date know whether or not the world is ready to progress from its present state of "frontier" life to one of ordered peace. "Arizona Bill" and "Texas Jim" will discover that they are willing, with their neighbours, to set up a court and a sheriff, while yielding something of their wild liberty to fight, *or* they will find that they are *not* willing to lay down their competitive arms. They will discover whether there are any worth-while compromises available, by virtue of which they may keep their beloved "guns" for the final and deadly affray, while setting up some forceless boards, or while agreeing that they will in future agree about the things concerning which they have hitherto disagreed and fought, and will then use their

independent, competitive arms only in miraculous harmony against a miraculously indicated miscreant. In such discussion they will determine whether or not they can risk an agreement to go *unarmed*, *if they create a justice of the peace and fail to create a constable*.

It is this latter phase of the question which has an importance almost equal to that of an affirmative decision in favour of setting up a justice of the peace *with* a constable. It is the earnest belief of the author that "Arizona Bill" will be rather a foolish man if he agrees to throw his six-shooter into the nearest gulch, unless the community to which he belonged has instituted some central physical force which would restrain "Texas Jim" from "getting the drop" upon any neighbour with whom he had a quarrel.

But there are many men who earnestly believe that engagements to "think it over" would be a sufficient basis for general disarmament. This belief would be represented probably in every responsible parliament in the world. It could be exploited in argument, addressed in criticism of those provisions in a tentative draft of articles of agreement which refer to the creation of a true international police force. After due debate, let the vote be taken. Thus do we fare forth, guessing our way, through the mazes of life. No voice speaks from Mount Sinai, commanding the whole world's conformity to specific political organization. It is not the voice of any cloud-covered Moses, but the voice of the People, which speaks the final word.

## CHAPTER XXI

### TRIBUNAL OF DECREE AND ENFORCEMENT

IN two different forms there have been introduced in the Senate of the United States by Senator John Shafroth of Colorado, with whom the author has collaborated in this work, resolutions in which appear certain tentative articles of agreement constituting an International Tribunal of Decree and Enforcement. While these articles first appeared substantially in a pamphlet written by the author a number of years ago, they, of course, received the full approval of Senator Shafroth before he introduced the resolutions in question. Omitting certain extraneous matter, dealing solely with the legislative processes of the United States, the articles proposed are here reprinted as they appeared in Senate Resolution 2710, First Session, Sixty-Fourth Congress of the United States.

#### TENTATIVE DRAFT OF ARTICLES OF AGREEMENT CONSTITUTING AN INTERNATIONAL TRIBUNAL OF DECREE AND ENFORCEMENT

##### ARTICLE I

The object of this agreement is declared to be the abolition of international war and the furtherance of peaceful co-operation between the Governments assenting to these articles.

## ARTICLE II

In the pursuit of this object the signatories hereto undertake to create a sovereign body to be called the International Tribunal of Decree and Enforcement, hereinafter designated as the Tribunal. And they bind themselves to perform the things herein required of each for the establishment and maintenance of the Tribunal.

## ARTICLE III

SECTION 1. The Tribunal shall be composed of representatives of the signatories hereto, hereinafter referred to as member States.

SEC. 2. The number of such representatives, plus those determined by the provisions of section four of this article, shall be as follows : Two members from each of the following States and groups of States, namely : Austria-Hungary, China (including Tibet), France, German Empire, Great Britain, Italy, Japan, Russia, Spain and Portugal, Turkey, United States of America.

SEC. 3. One member from each of the following States, namely : Holland, Siam, Switzerland. One member from each of the following groups of States, namely : Afghanistan and Persia ; Argentine Republic and Uruguay ; Belgium and Luxemburg ; Bolivia, Chile, and Peru ; Brazil and Paraguay ; Bulgaria, Greece, Roumania, Montenegro, and Servia ; Colombia, Ecuador, Panama, and Venezuela ; Costa Rica, Guatemala, Honduras, Mexico, Nicaragua, and Salvador ; Denmark, Sweden, and Norway.

SEC. 4. From each State or groups of States (except China), named in section two of this article, one additional member for every twenty million inhabitants in excess of thirty millions ; from each State or group of States in section three of this article, one additional member for every twenty million inhabitants in excess of fifteen millions. For China (including Tibet), one member for every one hundred million inhabitants in excess of two hundred millions : *Provided*, That in the enumeration of inhabitants for the purpose of

representation no count shall be taken of any persons held in slavery. Inhabitants of colonies, protectorates, or possessions not self-governed shall entitle their controlling power to representation on the following basis, namely: For the first thirty millions, one member; for each one hundred millions in excess of the first thirty millions, one member.

SEC. 5. The membership of States affected now by the provisions of section four of this article shall, during the first ten years of the exercise of this constitution, be taken as follows: Austria-Hungary, two, making a total of four; France, three, making a total of five; German Empire, three, making a total of six; Great Britain, six, making a total of eight; Holland, two, making a total of three; Japan, three, making a total of five; Russia, six, making a total of eight; United States of America, five, making a total of seven; China, one, making a total of three.

The total representation for all States and groups of States, at the beginning of the operations of this Tribunal, if all States and groups of States accept these articles of agreement, shall be taken at sixty-five, according to the stipulations hereinbefore appearing.

At the end of said period of ten years, and thereafter every tenth year, said Tribunal shall inquire into and fix for the purpose of representation in this union the population of member States and groups of States: *Provided*, That any State found to contain at any such decennial enumeration a self-governing population of fifteen millions, shall be entitled to an independent representation of one member of the Tribunal: *Provided further*, That any State found to contain a self-governing population of less than three millions, shall be joined to some other State or States to form a group for representation: *And provided further*, That no more than one representative shall be apportioned to a group having ten millions or less of self-governing population.

#### ARTICLE IV

SECTION 1. The pay of members of the Tribunal shall be \$20,000 per annum.

SEC. 2. The manner of election, the personal qualifications, and the term of office of members shall be such as may be determined by their respective Governments.

## ARTICLE V

SECTION 1. The first place of meeting of the Tribunal shall be at The Hague, in Holland, if the Government of Holland consents thereto ; otherwise, the first place of meeting shall be in the city of Washington, District of Columbia, United States of America. This meeting shall take place and the conditions of this agreement shall become operative one year from the date when any six of the following-named States may have adopted and signed these articles, namely : The United States of America, Great Britain, France, Germany, Austria-Hungary, Russia, Japan, and Italy.

SEC. 2. During a period of five years after the first year of the exercise of this agreement the Tribunal may sit in such capitals of member States as it may select. During the same period of five years the Tribunal shall endeavour to obtain sole sovereignty of an area not exceeding ten miles square, and there fix its seat of government ; and if it should not succeed in obtaining such sole sovereignty, the Tribunal shall thereafter have its sittings wherever it may determine. The persons of members of the Tribunal shall always be inviolable when journeying to and from, or in attendance upon, the Tribunal.

## ARTICLE VI

SECTION 1. The rules of procedure of the Tribunal shall be such as from time to time may be fixed by it : *Provided, however,* That a majority vote of the members shall always be required for the following purposes, namely :

First. For adopting or altering rules of procedure.

Second. For rendering final decision in any dispute between member States.

Third. For authorizing the use of violence by the armed forces of the Tribunal.

Fourth. For determining the sums required for meeting the expenses of the operations of the Tribunal.

Fifth. For electing a president and vice-president (from among their number), and for defining the powers and terms of office of said officers.

Sixth. For passing upon the credentials of members whose right to recognition as such may be in dispute.

SEC. 2. Communication between the Tribunal and the member States shall be carried on by their respective executives, unless other officials be specially appointed thereto by the Tribunal or the member States.

SEC. 3. The Tribunal shall cause to be printed in French, with reasonable promptness, and to be furnished to the member States, full reports of its decisions, whether judicial or executive, but its deliberations may be made public or not as the Tribunal may decide.

## ARTICLE VII

The powers of the Tribunal shall be as follows :

SECTION 1. To decide by decree all disputes submitted to it by any State (whether a member or not) and arising between a member State and any other State (whether a member or not). Such decision may be made upon the evidence presented by the State submitting the dispute if, within such period as may be fixed by the Tribunal, the other State or States concerned, having been admonished thereto by the Tribunal, shall have failed to present other evidence.

SEC. 2. To enforce by arms the execution of its decrees, the fulfilment of demands made in accordance with this constitution, and the exercise of all powers granted herein.

SEC. 3. To repel any attack, or to repress preparations therefor, by any State against any member State.

SEC. 4. To intervene in the affairs of any State disordered by violence and to pacify such disorder by advice, decree, or force : *Provided, however,* That no such intervention shall take place unless the Tribunal be requested thereto by two or more States, other than the State or States directly



concerned, and that two-thirds of the members of the Tribunal shall consent to such intervention.

SEC. 5. To establish, maintain, and control such civil organization and such armed force on land and sea as the Tribunal may deem necessary. Conscription of the armed personnel shall be effected, when necessary, through demand made upon the member States, for numbers of men fixed in the ratio of the relative populations of the States. And for this purpose the population shall be determined in the manner specified in section four of article three.

SEC. 6. To determine annually the sums required for meeting the expenses of the government hereby constituted ; to demand of each member State payment of its due proportion of said sums, the apportionment among the States and groups of States to be made in the ratio which the number of representatives of each State or group of States may bear to the total number of members of the Tribunal on the first day of July of the year for which the apportionment is made. If in any of the groups of States mentioned in article three there should be failure at any time to agree upon and report in due time to the Tribunal the proportion which each is to bear in paying the group apportionment for the expenses of the Tribunal, then those States of the group or any one of them which shall assume and pay the group apportionment shall be entitled to the group representations.

SEC. 7. To acquire and hold such lands, buildings, docks, anchorages, and rights of way as may be necessary for the efficient maintenance of its civil and military establishment. Such acquirement may be effected through purchase, gift, or demand made upon any member State for the exercise by it of its right of eminent domain in respect to property desired and which cannot otherwise be had on conditions satisfactory to the Tribunal.

SEC. 8. To demand of member States that, within three months from the date when these articles of agreement shall become effective, they shall surrender to the control of the Tribunal all armed vessels of war and all material appurtenant thereto ; to select from such surrendered vessels and material

whatever the Tribunal may desire to retain in its naval establishment ; to disarm the remaining vessels and to return them, with material not desired, within six months from the date of their surrender ; to demand of member States that they shall not build armed vessels of war ; to demand that, within one year from the date when this constitution shall become effective, the standing armies of all member States shall be reduced to a footing of one soldier for each thousand inhabitants, determined according to the provisions of section four of article three, and provided that land forces maintained solely for services in colonies not self-governing shall not be subject to the restrictions of this article ; to demand of each member State such portion of its material for land forces as the Tribunal may require ; to value all vessels and material retained by the Tribunal under the provisions of this article, and to pay for the same within ten years from the date of its acquirement ; to demand the disarmament of fortifications fronting the land frontier between member States ; to occupy, maintain, alter, or disarm seacoast fortifications of member States and fortifications fronting the frontiers between member States and other States.

SEC. 9. To make terms of peace which shall be binding upon all member States affected, in order to conclude any war waged between the forces of the Tribunal and those of any State.

SEC. 10. To propose to States for their consideration methods of promoting the common good of mankind in literature, science, art, and commerce.

SEC. 11. To recognize any sovereign State that may hereafter come into existence, and to fix the number of representatives in the Tribunal to which such State shall be entitled as a signer of these articles of agreement.

## ARTICLE VIII

An amendment to these articles of agreement shall have full force and effect as a part of it when it shall have received the assent of three-fourths of the members of the Tribunal and

two-thirds of the member States: *Provided*, That for the purposes of this article each group of States named in article three shall be taken as one State.

SEC. 4. That this Congress hereby declares its acceptance of the principle that international disputes threatening war shall be submitted for final determination to an International Tribunal having armed power to enforce its decrees; the constitution of said Tribunal to be substantially as set forth in the tentative draft of articles of agreement herein above set forth.

SEC. 5. That this Congress does hereby request the President to initiate negotiations, through the usual diplomatic channels, looking to the establishment of a system of international control based upon the principles appearing in the said tentative draft of articles of agreement.

There is grave doubt as to whether such powers as are presumed to be lodged in the international tribunal, according to the plan above outlined, can be transferred by the United States Government without a constitutional amendment. The war-making power of the people of the United States is vested in the Congress. The peace-making power is vested in the President and the Senate. The treaty-making power cannot change the Constitution. The action of the President and the Senate cannot take away powers vested in the Congress as a whole.

The author has drafted an amendment to the Constitution of the United States, intended to make certain an otherwise uncertain situation. That amendment is now pending before the Judiciary Committee of the Senate.

## CHAPTER XXII

### WAR AS A MORAL ASSET : THE MILITARIST SPEAKS

OBVIOUSLY, the war-system cannot be abolished unless those desiring its abolition wield a controlling influence in a number of great nations.

Many who now earnestly strive in the cause will impatiently declare that he wastes time who stops to argue about the issue of desirability ; that, indeed, there is no other issue than the " how " and " when " of international organization. They refuse to consider the " why." Yet, on the other hand, influential men in all countries have declared, and do now openly declare, that war yields to humanity benefits outweighing its pains and penalties.

They hold that it is not merely an expression of passion, which should be controlled, but also a time-honoured institution, and an excellent court for the trial of national efficiency—of social fitness—of moral stability. It is a great tree, they say, whose roots strike down through all human history, whose branches point upward to higher attainments in character. Shall such a tree be lightly cursed, and shall the axe of reform be lightly laid to its trunk ? " Nay," they declare, " even if you *can* cut it down (and this they generally deny), yet you *should not* destroy this work of the ages. You may prune, but

you should not kill, this venerable thing—the war-system of international trial.”

We cannot settle the question by contrasting our war-marked history with any world-wide experience of several centuries freed from international violence. No such age has been granted to us. But both sides to the controversy can marshal, in general terms, the propositions respectively urged by them.

The war advocate may state his case as follows :

“ The battlefield is the field of personal sacrifice. In the supreme offer of his life, the individual attains to the greatest heights of that kind of conduct which is most universally commended, because it subordinates the interest of one to the interest of many. The temporary exaltation of mind which is thus permitted to the soldier is worth many years of the colourless drudgery which is the fate of the majority of men ; and his completed sacrifice inspires, by example, a thousand heroisms which vivify and enrich the lives of myriads during the dull years of peace. This moral exaltation and this value of example are productive of equal good whether the soldier follows the one banner or the other in any international war. For is it not true that the hosts on both sides of the battlefield are equally inspired with a belief in the *righteousness* of their cause ? Even though, in the conscience of minister or prince, there lurks some doubt as to the justice of his rôle in the making of the great tragedy, we know that the heart of the common soldier is usually fired with an unreasoning zeal, which he attests by giving his all—his life.

“ But military experiences afford to all who have grown lax through protected ease an additional

benefit—that of mere discipline and trial, even though emptied of any sense of sacrifice. It may be admitted that this advantage is restricted to a relatively small class. The poor man is so constantly engaged in his struggle for existence that he does not suffer from that ‘fatty degeneration of the heart’ which inevitably marks those who inherit wealth or power, if at the same time their inheritance is freed from the burdens of competition. Granting, in the earlier periods of inherited privilege, a considerable number of exceptions to the rule of softness, yet eventually relief from strain results in supine uselessness. This indeed might be accepted as a harmless condition, if all the world were assured a happy existence. But that is not the case. Meanwhile, these sluggards constitute a truly mal-efficient element in society. Unless we are willing to disturb or destroy the principle of *property inheritance* (a truly valuable force in the past), we must admit its evil, as well as its good, effects. That principle, operating through generations devoted to peaceful commerce; will ever breed a degenerate ‘upper class.’ To the men of this class, tottering toward ineptitude and vice, the call of war is the reawakening of manhood. He who once knew no severer competition than that incited by fashion-plates; he who thought that his petty sports were serious public interests; he who considered that his responsibilities toward life had been discharged when an unearned income had been expended in vanity or in vice; he, this weakling of society, this canker spot spreading through the body politic, this son of sloth, finds himself excited, inspired, devoted to self-sacrificial acts, which renew his title to existence, or doom him to a virtuous death. If

his blood is shed, it makes a new cement, binding together the different orders of society for another period of helpful co-operation.

“ But the moral benefits which war bestows do not tell the whole tale. Who shall deny the magnificent elation of war as *war* ; of war as excitement, as colour, as struggle ? Peace indeed gives us three meals a day, a warm house, comfortable clothing, artistic satisfaction, joys of friendship, joys of love, the intimate happiness of family life ; but, running through it all, how often do we discover an illimitable ennui ? How often do we turn from our ordered ease to enjoy in literature and art even the pale reflection of the warrior’s splendid joys, his glories, his very wounds ? The young man’s eyes shine more brightly when he hears that to him also may come the fierce delight of the battlefield. And how precious are the soldier’s memories of companionships sealed in moments of common danger ; of exaltations born in moments of victory ; of fortitudes developed in moments of defeat ! Shall the human race lose these zestful, though tragic, experiences ? Because the humdrum of life may be counted out yet a little longer for some, shall all men forgo the deliriums of combat ?

“ And yet another phase is suggested by the thought that those who remain at the fireside, protected by the heroisms of their own dear ones on the battlefield, are given the privilege of expressing gratitude to their defenders. Is not true happiness experienced by the multitude which receives with honour, and cherishes thereafter in comfort, the returned soldier wounded or sick ? Taking the two together, the sacrifice and the thanks, do they not

yield to the common life of the nation spiritual values so great that they may be measured against much of the easy pleasures of peace? True, it is for these very pleasures of peace that war has been endured. But would they be as sweet if gathered for ever without menace, without pain, without any price save that of routined industry, uninspired by occasional risk of life and fortune?

“And there is still another count in favour of the rough-hewn decrees of war. The warrior, through devotion on the field; the civilian, through work in the factory; the woman, through ministrations in the hospital—all may feel that the championship of their country’s rights has been a *personal* task. Every citizen has felt and discharged a *personal* responsibility toward himself, his neighbours, and his children. The great heat of war fuses a thousand selfish isolations into one public spirit; but if men cease to make war, then the cold impartial justice of the tribunal will remove from their hearts the sense that they also are judges, and fateful executioners. The state whose destinies are determined by some distant court may lose the tense thought of personal duty, immanent in the minds of its million humble people. May not public opinion, if thus relieved from the dangerous and honourable post of war-sentinel, inertly sleep, while Injustice steals upon the throne of Justice?

“And this helpful sentiment of solidarity flourishes not only when the ranks are set for actual combat. During the quiet years of peace also, if citizens be assembled for military training, they are reminded of that composite Being, the Nation, and of the supreme duty of death to which they may be sum-



moned by, and for, that Being. Mentally and physically they are 'set up' by a discipline which combines hygiene with alertness, and obedience with order. Even the peace-soldier becomes a better man, a better civilian.

"War is the surgeon's knife, which opens the too plethoric veins of a race that becomes turgid and heavy if it fattens always, and never fights. And what fee do we pay the surgeon? Death? Wounds? Heartache? But none are immortal. Those who sleep on the battlefield are indeed taken earlier; yet the same end, only a little delayed, awaits all others. The tears that fall on the bier of a young soldier are the less bitter, because those who weep his untimely loss also rejoice in the memory of his brave deeds.

"Withal, war stirs; it appeals; it inspires. It has been for the human race a curse and a scourge; but it has also been a pastime, a discipline, a revelation, and an inspiration. It has given us stories of horror upon horror, and it has given us stories of heroism upon heroism. Suppose that through some trick of statesmanship it should be arranged that all the youth of every generation might have a year or two of active campaigning, or, otherwise, long lives of uninterrupted peace. Suppose the magician ordering our affairs should offer to limit to something like 10 per cent the killed and wounded of those thus engaged. Are you sure that their cry would not be for war?

"But is not human life, in itself, of value, you say? Has the stricken youth of twenty-three been deprived of nothing that shall be accounted as loss to *him*? Has not his death produced a net subtraction from the thing we strive for—life and happiness? Let

us grant it so. Yet the proportion which this loss bears to the ever-mounting flood of human life is small indeed, and should not lightly be taken as outweighing the benefits of war.”<sup>1</sup>

<sup>1</sup> This proportion is calculated in Appendix A. The value of war as an agent in political reform is discussed in Appendix H.

## CHAPTER XXIII

### AND THE PEACE ADVOCATE ANSWERS

“It is not improbable that the argument stated in the preceding chapter, hastily considered by a young man tutored in war-traditions, would receive the support of his vote and his rifle. But, taking second thought, he would doubtless desire certain conditions to be fulfilled ere he stalked his first man. He would not want to gratify his own love of excitement by imposing suffering upon women and children, nor would he consent that the poor throughout the world should be burdened to pay the cost of his splendid entertainment.

“Reflecting upon the narrow, laborious lives of millions of his compatriots, the war-loving youth might particularly hesitate to support a system which requires vast expenditures for military preparations, even during all the quiet years of peace. He would reflect that, in the strange anomaly of our present organization, those quiet periods are the very objective of all the volcanic effort of war; and he would inquire whether that objective might be attained without the sacrifices now required.

“Shall he not be reminded by his elders that, while war develops courage, and may promote unselfishness, it also breeds hate, and suspicion—yes, and lying, and malevolence of every kind?

“The passions of war are not simply those of men exalted by a sense of duty to be done in fair fight with a foe. If the warrior strikes only at the *bodies*, his civil brethren aim at the *characters* of their enemy. Patriotism becomes a fury ; crimes are invented that they may be charged against a whole people ; virtues are invented that they may be claimed for the patriots’ country. Sweet Charity must sit only at the fireside ; she cannot walk abroad in all the world to whisper her message of universal tolerance. At the frontier she is halted, and bitter calumny takes her place.

“The possibilities of human brotherhood are smothered in hate. Men see each other as monsters ; children are taught to hate other children yet unborn because of racial or mere partisan differences in parentage ; corroding doubts as to the value of all human life are engendered in a million suffering hearts ; honour is confined to the service of a single party. If truth favours the enemy, it becomes dishonour to speak the truth. To traduce, to deceive, to destroy, to blacken the foe—these are honourable actions.

“Since sovereign states are but slaves to the war-system, their great officers must perforce adopt a slave’s weapon—the Lie. Men of probity, abhorring deceit, must ambush an enemy by the trick of forged orders or false reports. Even before the command for mutual slaughter has been given by Government, its officers, hoping to save an imperilled state or to seize a propitious moment for attack, learn to juggle, to cozen, and to palter—forgetting the simple principles of honesty which control their private lives. In the Temple of Patriotism, the virgin Truth is prostituted by the chieftains of the

people. Unaccustomed to fine distinctions, humbler citizens, seeing the Goddess tarnished, no longer obey her pure commands in their daily barterings.

“So we see that when the narrow edifice of military honour is most in view, the broader foundations of commercial honour are most neglected. In Europe, as in Japan, the era of feudal militarism corresponded with an era of commercial chicanery. It was England’s merchant-class, long freed from the example of violence at home, who first set the highest standards of everyday uprightness in European commerce. The country was almost continuously ‘at war,’ but the number of citizens directly affected by war’s peculiar code was always small. China, for a long time, was almost the whole civilized world known to the East. Her commerce also, in many regions, was able to develop beyond the stage of trickery which must mark the dealings of those who breathe by the grace of an hereditary and exclusive military class.<sup>1</sup> When the tocsin sounds, then men’s views of life are violently set to new angles; and if they be long subjected to this reversing process, mournfully a nation finds that its heroes on the field are *not* ‘sans peur et sans reproche’ in the counting-room. Great wars are followed by periods of relative lawlessness, manifested by increase in personal violence and decrease in rigid personal probity, because so few of us are sufficiently elastic to employ one code toward national enemies and quite another toward our personal adversaries or competitors.

<sup>1</sup> Happily this evil influence is diminished by the short-term service connected with universal military training, such as we see in modern states. The citizen-soldier’s principal rôle in life being that of the peaceful householder, his ethical code must correspond. Moreover, the barrack life during his military period, with its dull routine of drill, does not involve those reversals of familiar conduct-rules which *war itself* automatically exacts.

Surely it will be accounted as a moral gain if our stumbling race may learn to walk uprightly, following always those rules of conduct which are approved, in substance, wherever central *judgement*, backed by *central force*, is organized as a substitute for *competitive judgements*, backed by *competitive forces*.

“And let not the eager youth believe that his arms are to be turned only against strong men—his equals. On the very field indeed he sees only soldiers like himself; but his march has stopped the currents of commerce, and hunger knocks at the peasant’s door. His far-reaching artillery wrecks an unseen cottage where mother and child await in fear; his infuriated companions set fire to a town; pillage and rape blot out all value from a hundred lives.

“There is the exaltation of self-sacrifice, you say? True, but this exaltation is attained through manslaughter. In order that the soldier may show in war a beautiful devotion to his own people, he must fill his soul with the lust of death, his mouth with the cries of death, his hand with the instruments of death. The privilege of self-sacrifice is bought with the life of another.

“There is gratitude, you say—gratitude in the hearts of those who mourn the heroic dead? True—and in their hearts is also venomous wrath against all the hero’s foes.

“The fountain of woman’s love runs with the bitter waters of vengeance. She who yesterday wept with all the sufferers in the world, to-day, dry-eyed, curses half the world in arms. She who yesterday travailed sympathetically with the travail of all her sisters wherever maternity bore its pangs, to-day utters maledictions upon the wombs of them whose

sons were blindly joined to slay her son—her husband—her lover.

“ You may show that the life-volume taken by war’s decree is an inconsiderable proportion of the great mass of men filling the earth, but can you measure the misery of hunger when a whole people is blockaded ? Can you measure the lowered vitality of millions whose stinted rations leave the bodies and the minds of future mothers and fathers strained away from normal health by abnormal food conditions and abnormal excitements ? Shall we bring no charge against a system which, in thirty years, almost destroyed the population and the civilization of Germany ? of Central Europe ? Shall the exhaustion of Prussia and Austria during the great struggles marking the life of Frederick the Great be measured only in the figures of the dead and wounded, while the hunger of millions of peasants during years of war, and other slow years of recuperation, goes unnoticed ? Shall the ‘ glory ’ of the Napoleonic era blind us to all the sordid misery which degraded a continent while sovereigns and sovereign states fought like savages for ‘ rights ’ which were subject to no possible judgement save that written in the blood and tears of unoffending multitudes ?

“ Shall the toll of war for ever be laid upon the labour of the poor ? Even though we forget the wrecking of the soldier’s body, the breaking of the woman’s heart, shall we forget that long after the strife has ended, peasants must wearily bend to the soil, artisans must patiently sweat in the shops, to put bread in the army’s belly, and steel in the army’s hands ?

“ You may conjure with figures of percentages

—you may measure the flow of blood as you will—  
O Priest of Mars! Yet always it remains, that every drop of blood spilled in war swells the river of hate and unreason in the hearts of men and women far from the field. *This indeed is the true substance of your wrong done to human life.*

“A few of us may attain an assurance for all material wants, and taste of pleasant luxuries beside; but there are millions whose prayer for daily bread is not a mere ceremony of words, it is the cry of fainting souls. For these there is double woe in war—the woe of death and the woe of dearth. For these even prosperous peace brings but just enough to let them play the drudge in life. Shall we hold to our heritages of destructive hate, while these, our brethren, still hunger and thirst physically and spiritually?

“Shall we take away bread from their slender stores and garments from their poor raiment, because national honour cannot be submitted to judgement, but must be blazoned in blood? Shall we seize from them the cup of knowledge which science now offers to unaccustomed lips because we, the enlightened, cannot bind our own passions to the keepers of the peace?

“Ours are the battle-cries that excite to slaughter; theirs the blind following to death and to poverty. Is their cause not worth at least an effort to purge our minds of prejudice; to make a new patriotism, one that pleads for the poor; to serve a new cause, one that champions the poor in all the world?

“Discipline, you say, is taught to unruly youth? True, there is discipline, and, in the end, there is blind obedience. Men forget to reason. Force seems the only philosopher, the only guide in human affairs.



It is the discipline of the blinders and the shafts. Those who delight in it, forfeit their estate as thinking workers among equals. Verily it is a good discipline for the fell purposes to which it is devoted ; but shall we make of it an ideal of democratic citizenship—*can we* adopt it as the *better part* in life, and yet preserve the virtues of a plastic civilization composed of elastic units ?

“ Must we not keep it within minimum limits rather than run forward to place our necks under the yoke of submission to a system which, if forced upon us, we would brand as cruel slavery ? But, you say, the slothful, the degenerate, can they be redeemed save through the trial by fire ? And we answer—yes. If only the years of peace be assured, the now awakened Democracy will undertake social changes eradicating *this cancerous growth* in its body. If there is a luxury-waste in peace comparable to the destructive-waste in war, we may learn how to check the one, as we hope to learn how to eradicate the other.

“ Short, indeed, has been the time since an open-eyed public could gaze steadfastly at its own ills—and boldly seek to cure them ! Theology has cloaked them in mystery. Privilege has laid its hand over them, and forbidden that they be touched by another.

“ Let now the sufferer heal his own wounds.

“ Is it a vain thing that Civilization should set before itself, *as its major objective*, that each human being should enjoy a certain minimum of possessions, of things essential to existence and to comfort and to happiness. Let us formulate some such standard, and let us agree that its attainment shall constitute the first claim upon the thought and the work of all

who are privileged by education to take part in the world's progress. Let us, in turning away from the war-system with its fictitious ideal of a national sovereignty which is never free, seek the liberty of *order*; and let us devote the first fruits of our new freedom to the specific betterment of material conditions for multitudes who are now too scantily supplied. Spiritual gain will be at once realized by those who make conscious endeavour in behalf of less fortunate brethren; and these will be the better able to taste of higher delights when secure as to necessities, and uncertain only as to superfluous sweets.<sup>1</sup>

“The war advocate justly states that there are certain small numbers in every society for whom war-discipline is beneficial. Those who have been fattened into lethargy by inherited ease are infused with some energy and a new fitness for life by the trials of war. But what of the millions of workers who are engaged in a never-ceasing battle with poverty? It is admitted that they do not need this sort of discipline. He who treads the ploughed field, or tends the whirring machine for eight or ten hours of every day of his healthful life, submits himself sufficiently to a *rule of life*. Shall his opportunity for further progress toward enlightened pleasure be, from time to time, sacrificed, because no other than war's way has yet been found to cure the dropsy of unearned wealth? That position, when the matter is well understood, will not be accepted by those whose numbers and strength must eventually determine all national actions. If they wish industrial training and service, they will have it. If they wish general health-train-

<sup>1</sup> In Appendix B are set forth definite objectives in respect to average material welfare.

ing, they will have it. Nor will they admit that these *cannot be had without military service*. Each requirement must stand or fall on the argument of its separate merits. Nay, we must look to periods of peace, with political agitation, to cure the evils presented by the circumstances of the idle classes. We may assume that the preservation in every society of a few units freed from the early demands of toil may yield a benefit enjoyed by all. It is our task to solve this problem, and to purge the social body of those drones who serve neither the material, the aesthetic, the intellectual, nor the sentimental needs of society.

“Philosophers may raise questions as to the concept behind the word ‘duty.’ We cannot here enter the controversy; but we may confidently state that in so far as that word does represent something real, then it means, for those who are privileged by education, that their intelligence should be devoted to the solution of all those problems which, being unsolved, weigh upon our humbler brethren throughout the world. If nothing more can be said for this theme, at least we must admit the *fact*, that devotion to such an ideal employs the capacities and fills the lives of thousands of men more satisfactorily than do any other allurements. Animated by this spirit, those who now stand as sincere objectors to the establishment of international peace-mechanisms, may, when things are seen in the light of duty here pointed out, turn their energies to those tasks in which both conscience and intelligence may delight.

“Certainly, the work will move slowly. Our minds are sluggish. War is a very ancient institution. Whatever the word ‘glory’ signifies has been chiefly gained in its service. Yet, through all the

centuries of strife behind us, the name of Archimedes stirs the enlightened imagination as much as that of Alexander. In the dozen decades which precede our own day, we have seen the sky of glory filled with stars of the first magnitude—such as Watt, Faraday, Fulton, Humboldt, Helmholtz, Pasteur, and whole galaxies of like kind.

“Let us then have peace, that the work of such men, and of their coadjutors in the science of government, may continue, and bear fruit in the uplift to higher levels of those masses which Nature continues to spawn in the form of human beings. Let us, for the sake of the poor throughout the world, *experiment with peace*. Let us inaugurate and, if possible, maintain for at least a century those mechanisms of international organization which promise to be effective for the purpose in view. And if peace should be a failure, if our hopes prove vain, then let our descendants turn back to the present régime, seeking their welfare in blood.”

## CHAPTER XXIV

### IS WAR INEVITABLE ?

THE existing war-system may be undesirable, but is it nevertheless inevitable? Many men believe that it is so. They allege that the contest of life and death, of body against body, is necessary; that Nature has ordained it for ever; that its sufferings are imposed as a condition of human existence.

The proponents of these views constitute a considerable fraction of those whose co-operation must be had in any successful reorganization of international affairs. We therefore undertake to disprove sweeping conclusions which, if sound, would lead to an abandonment of the whole enterprise for international peace-keeping.

It must be admitted that mortal combats have played a large part in all past developments among living beings; but it does not follow that similar strife must constitute a *permanent* element in human progress. Quite the contrary, deduction should be made from the observed succession of phenomena in the universe around us.

We have abundant and intimate evidence (within our own bodies) of the fact that evolutionary processes are, in their very essence, processes of *change*. That, indeed, is the *most* general expression of this "law of evolution."

*Organs and modes of action are born*; they mature; they die. Environment having changed, the thing whose environment is considered must also change. Claws and sharp teeth serve chiefly (and well) to tear flesh. They *came into being* because the flesh to be torn was available, and because, under all the determining conditions, the use of claws and teeth constituted a feeding-effort of least resistance for their owner. They would go out of existence in a fleshless environment, and their owner would go with them, unless his organs be modified in correspondence with an altered food-supply. We, who have come up from lowly forms, have thus risen by virtue of a certain inherent *plasticity* that has foiled a thousand attacks upon our existence. These attacks have been caused by *change*, and they have produced *change*.<sup>1</sup>

*The fact is, permanency must be denied, rather than affirmed, as a prima facie conclusion concerning any and every human institution or custom. Its strength waxes, then wanes. Whether it is in the former, or the latter, phase at any particular moment is matter of special study.*

We should not fail to consider also another principle, less familiar than the generalization just cited, but of much importance in our present inquiry. The substance of that principle may be thus stated.

<sup>1</sup> Compare the intricacies exposed in man's body by a dissector's knife with the simple organization of our early ancestors, squirming in the tepid ooze. Think of the long line of metamorphoses between the two; observe the traces left by vanished shapes. We see that every form works towards its own destruction, and carries the seeds of a successor *differing* from itself. Because a condition *has been*, we must suspect that it will *cease to be*. This proposition is so much a commonplace of modern philosophic thought that one is excused for presenting it, only because many who insist upon the inevitability of war invoke in a vague but confident way the spirits of Spencer, Huxley, and others of the great gods of Evolution literature.

*Intelligent beings* modify their environment in a variety of ways. Each becomes a part of the environment of associated beings, and all are powerfully affected by their own actions. Particularly may we trace the influence of *conscious efforts to satisfy desire*. They set in motion important forces in any law-ordered development. And, in turn, *desire itself*, in a reflective being, is rapidly modified as its conjoined intelligence gains an increasing vision of the general scheme of life. The wish is father to the thought. The thought breeds action. Action generates new conditions. New conditions produce new desires—and so the wheel turns.

If we no longer have a *desire* to fight—body against body—in the determination of controversies between individuals and groups; if, on the contrary, we have a desire to avoid bloodshed, then that *desire* is itself part of the ordered plan, it is one of various forces affecting final results.

Again, if increasing *intelligence* co-operating with desire suggests alternatives for fighting, without sacrificing the *end in view*, then that intelligence is part of the *environment of the mental contest which results in fight or no fight*.

In the face of the foregoing considerations, it is evident that nothing could be more vain, nothing less consonant with sound philosophy, than the positive assertion that war must continue as part of human conduct.

On the other hand, we cannot hastily conclude that we are now entering upon a period of *diminishing* violence. May we not see it *increase* rather than diminish? That also would be consonant with the law of *change*. May it not be possible that war

shall soon become a scourge actually destroying the human race? To obtain even approximate answers to these questions we must reach the "highest probabilities," by observing the *trend* of our development.

At the outset of this inquiry we must grant that, in the mere increased complexity of our natures, there lurks an increased chance of conflict between two individuals or groups when brought into intimate contact. Every new desire may be thwarted by a rival.

Man's perceptions, sensibilities, and desires have been multiplied with every enlargement of his vision. These sensibilities are, in fact, *susceptibilities*, which were quite unknown to our simpler forebears. Thus, neither lowly savage nor splendid dogs could understand our great code of *honour*—personal and national. It contains much nonsense, perhaps, and its colours shift as do women's fashions. But it also contains the things most precious to us. Even our baubles seem to be diamonds; our foibles, virtues; and we are ready to die for them.

We have, in fact, evolved *immaterial personalities* whose demands for self-preservation and for reproduction are as imperious as the cravings which perpetuate our material lives. We have projected these creations into dreamland regions that lie beyond Time and Space. We have made of Death a messenger leading us from the realities of life toward the exquisite bliss or agony of a vision floating on the other side of the grave.

And again, we have merged our own earthly personalities with those of multitudes of our fellow-men. Our minds are penetrated with their joys and



sorrows. Our lives are held as petty coins, freely to be expended in purchasing estimated happiness for those to whom we are bound by ties of creed or country. Nay—for unborn children of men whom we know only as vague numbers inhabiting certain lands, we rush to battle, we welcome death.

Once a naked body, moved by a simple mind, sought food, warmth, and sex. For these he fought, when necessary. His appetites being gratified for the moment, he ceased to struggle. Now, a restless intellect seeks the same material satisfactions as of yore, but—how much more besides ! The man of three fundamental desires has now added unto himself cares incident to (a) an imagined existence after death ; (b) a partnership in the fate of living groups around him ; (c) an anticipation of the lot of succeeding generations ; (d) a yearning for power and glory ; (e) a craving for countless aesthetic pleasures.

The condition which has always provoked force-contests for food is, in substance, one of *limited* visible supply, insufficient for vital needs of rival claimants, and an *inability* on their part to conceive of increasing the supply by co-operation. In so far as intelligence points the way toward co-operation, violent struggles cease because they are found to be stupid methods for attaining desired ends.

Moralities in plenty, property rights, sexual rights, political rights, all grow out of surplus stocks of foods. But always, when Fate wished to mock us, she swept away from groups of men their garnered stores. Then there befell again the ancient strife. Again men struggled for life, and freed themselves from sophistries of right and wrong.

From these fierce encounters one great benefit was born. Men learned the precious worth of *order* and of organization. The group at war must have leadership. Co-operation must be carried to its maximum. So, in the maze that is set for our feet, we see famine producing violence ; violence producing order (within groups) ; order permitting invention to flourish ; then war, destroying in part the inventor's work. Over again the treadmill turns ; yet, through it all, the reign of *centralized judgement* and *centralized force* has been widely extended. Securing its hold upon nature in the irrigated valleys of the Nile and the Tigris, civilization spread its beneficent light throughout Asia, Europe, and America. Barbarism seemed at times triumphant, but ever, out of the ruck of slaughter and turmoil, rose *order* and then *plenty*—rose the statesman and the scientist.

Can we formulate the condition in which our supersensual appetites now produce physical strife, and correspondingly those conditions which will *end* that strife ? We know that nations go to war, having no fear of hunger. They do not fight for bread. Is there nevertheless a limited quantity of *something else*, concerning which the contest rages ? Is there also a craving for *all* of a known supply, and an ignorance of co-operation's value in securing provision for the future ? Are the issues in fact determinable by centralized judgement and force as are the controversies which arise within the state ? Are international rivalries of the same substance with many of the antagonisms arising between individuals and groups within a state ? Does not the familiar organization of society actually compose, without violence, many domestic rivalries similar in kind to

those which, if international, are so often settled by war ?

If, in our domestic affairs, we habitually weaken, or curb, forces of disruptive character, may we not suppose that an extension of known methods of control will hold in check similar forces operating in our external affairs ?

Do not the same causes which have driven us to seek domestic tranquillity continue now to create desire for international peace ? Are we not constantly and rapidly increasing our *appreciation of the benefits of co-operation*, and our ability to maintain intercourse between the four corners of the earth ? And if desire, guided by growing intelligence, has been able to accomplish relative tranquillity within the state, may it not score a like accomplishment *between states* ? Affirmative answers to these questions would give a satisfactory indication that *war, instead of being inevitably fixed among us for ever, is in fact doomed to vanish, unless forces, tendencies, and desires that have established domestic peace should cease to operate upon men's minds.*

For ages we have been moving, on four parallel lines, away from those conditions which nature has particularly associated with acts of physical violence between living beings. First, we increase the *visible supply* of our material needs. Second, we come to count upon supplies visible to the intelligence, though not to the eye. Third, we enormously enlarge the circle of our sympathies ; and, fourth, we are able to forecast the future, making a horoscope of our interests, and discovering harmonies between them and the interests of others.

This latter process has gone so far that we now

know the world must lose largely of the inventor's potential help, unless international co-operation be extended beyond its present limits and be protected from the risks of war.

Millions of men within each state have long been accustomed in all their domestic conflicts to be restrained from using violence, although their differences involve all possible questions of rights and obligations, for groups and individuals, and respecting religious, social, political, and economic relations. But these are the *very same interests* which are involved in the calculations of rulers and the passions of multitudes, when they determine to attack their neighbour nation.

They may be moved by consideration of some wrong suffered by the living, some insult offered the dead, some benefit anticipated for the unborn of their own people. Or, in rare cases, the sword may be drawn out of sympathy for oppressed groups constituting a single sovereignty. Wisely or unwisely, one conceives that its interests, religious, social, political, or economic, whether direct or sympathetic, whether present or future, are threatened by the pretensions of another group. In so far as the units composing these national bodies are more intimately bound together than the nations are to each other, their happiness is more completely controlled by the conduct of others in the same political system. It is this *vital interdependence* that has produced a necessary toleration expressed in the creation of control-organisms, to which the creators themselves submit their lives and fortunes. Certainly, the commonplace of our experience as citizens is to observe the reign of central judgement associated

with central force, restraining occasional revolts against order, and serving as a constant reminder to all that *competitive physical conflicts* have been outlawed. Not only do we observe this orderly procedure in respect to issues kindred with those appearing in national quarrels, but there are other—even deeper—disturbances within its body that must be calmed, if the state is to live. The actual killing and burning, which are war, these indeed are interests as great, as tragic, as any that life presents. But war is only the stupid *method* of *settling* international disturbances. When we contemplate the *substance* of the quarrels leading to these dreadful deeds, it seems paltry enough compared to the strong passions aroused in our private relations. Look backward over the history of Europe ; we cannot discern any trial due to the clash of national sentiments so essentially corroding as those incident to unhappy marriages. No war-settlement of national commercial rivalries can affect the welfare of workmen as seriously as a strike-settlement between employer and employee. No dispute over scarce-known boundaries of distant lands can carry such weal or woe as the determination of title to homesteads.

Deep and fundamental are the wraths that must be mastered in our everyday citizen's life. His contentions spring from irritation of every individual and every group sensibility. He has even some territorial or tribal attachments resulting in a separatism wholly analogous to that called patriotism. For his village, his county, his province, or his clan, within the nation, he has ambitions ; he has resentments against other subdivisions, all as keen as those he feels for his country in its relation with foreign

countries. Yet these sentiments, and the more intimate antagonisms generated in strictly private relations, are all maintained within the four walls of organized restraint against violence.

In the face of these facts, shall we despair of releasing ourselves from misfortunes due—oh, how often!—to the mere miscalculations of rulers as to the true interests of those whom they represent? Shall we despair of utilizing the marvellous power of co-operation in international, as in domestic, affairs? Shall we despair of establishing over the nations those time-proved institutions which curb domestic antagonisms that co-operation alone cannot cure?

### *Contests for Things exceeding our Necessities*

We have thus far considered nothing but the struggle for that food-supply which is to be directly produced or seized by those who are to consume it. No account has been taken of the desire to accumulate such a surplus of food as will permit large leisure and large luxury for those engaged in the struggle. We have considered the sources and modes of action of those who either have no perception of the leisure which accumulations may give to them, or at least have no plan for disposing of that leisure save in utter indolence. The idea of devoting the freedom thus gained to improvements in production-methods for food supplies is one which does not appear in the brute mind. Relatively weak as it may be in lowly man, it is yet the very characteristic which distinguishes him from his brutish companions. It is the very quality by which he has been able to lift himself up from their state to a condition which gives him title to be described as man.

The next step in progress is indicated by the use of his leisure, not only to improve production-methods for food alone, but also to satisfy nascent longings for increased comfort, and then for ornament. It is at this point that we may discover some traces of sex-contest, not in its common form of physical violence between males, aimed at mutual destruction, but of that milder contest which endeavours to win by superior powers of pleasing. It has been thought that Nature gave to various males of the lower orders an ornamentation which served those purposes. Whether or not the assumption be true, it seems fairly clear that our naked progenitors, man and woman, were substantially equal, or without special marks of beauty given to the male for purposes of attracting the female.

It is perhaps a needless refinement of the present inquiry to ask whether the early tendency to seek artificial ornamentations was prompted by the lack of any special colorations as a secondary sexual characteristic in our own race. The fact remains that very early in our own history we began to devote a considerable fraction of leisure to the making of ornaments and of articles of comfort, which are translated in our day into all the soft luxuries for which we strive. The whole subject thus raised has its importance in this respect—that we find ourselves endowed with a series of desires which run far beyond the gratification of hunger and thirst. We are not satisfied even with the sleepy comfort which comes from a full stomach. We must have food enough to maintain all those who are directly concerned in its production, and also a host of others, whose time is spent in the production of a great number of articles which

we now call "necessaries." We are indeed occasionally taught by war, or some unusual natural disaster, that we can live on the old rations which satisfied our cave-dwelling fathers. To live thus, however, does not satisfy us. We are ready to kill each other for these surplus products, in so far as our desires for them become strongly pronounced, and in so far as we may fear that the action of another individual or group will frustrate those desires. We are thus introduced to a whole order of contests different from those which animated our predecessors.

Yet the general principles which came into light in discussing the simpler problem are still found to hold. Whether the material things which are the prizes of competition may be just enough to keep life going, or whether they be sufficient to serve the large purposes of modern civilization, with its luxurious necessities, it still remains true that our tendency to physical violence over these matters is found to diminish with relative plenty in the visible supply of these articles, with our ability to realize supplies not in sight, with the extension of our sympathetic interests, and with our ability to recognize that the common interests of a number of groups may be better subserved by co-operation than by mutual destruction.

A vision of the great field of international trade is thus presented to us. Ignorance, misunderstanding, jealousy have run riot in these relations, as in those of individuals. Yet it has not been always ignorance and misunderstanding which have caused conflicts in this field. It is a hard and ugly fact in our experience that, under certain circumstances, a temporary advantage may be gained through the destruction of competitors. If we cannot have a



vision of the *future* as well as of the present, we attempt the removal of him who stands in our way. So it is in the struggles of nations. The clamour of any particular generation for an immediate market may be likened to the pang of hunger in the wild man's stomach at ten o'clock in the morning. He will kill at that moment to satisfy that pang, rather than make a compromise which might yield him continuously better results beginning at six o'clock in the evening.

With groups, as with individuals, it is the old story of learning how to realize the future, and to provide for it through some sacrifice of the moment's advantage. If the ten - o'clock - in - the - morning - hunger-pang is keen enough to threaten death, then all compromise provisions for the future must fail and be pronounced unwise. The same judgement might fairly be passed upon national crises if, in fact, we could ever find one corresponding to the death-pang of hunger in the individual. Such has been the case in the past undoubtedly. But can it be said that any nation is now threatened by general poverty, *except* when it is swept by war ? Is it not true that wise co-operation—if only we can obtain it!—will certainly yield more for *all*, than any one can seize by violent methods ? Do we not *know* that the necessities *and the luxuries* of to-morrow can be secured by common-sense trade arrangements *to-day* ? Does any man believe that England must starve in order that Germany may feast ? No. Then the case of modern nations, with their civilized tastes, is covered by the reasoning heretofore presented, showing that the progress of intelligence removes the necessity of fighting over food-supply.

In meeting the objections urged against an Inter-

national Tribunal for the suppression of international war, in so far as those objections are based upon the general statement that man is a fighting animal, etc., we need answer only this one question: "Is there now a majority opinion, in the groups constituting nations, in favour of applying to those groups certain methods which previously they have applied among themselves in building up existing sovereignties?" If the answer be "Yes," then we may proceed without fear that we are trying to accomplish the impossible.

Let it be emphasized that the evolutionary process which promises success to plans for international peace-keeping has actually developed within the state the status proposed to be established between the states—and much more besides. Private disarmament is substantially universal in civilized nations. Institutions which aim at the permanent suppression of violence are equally universal. There are indeed aberrations from the rule of tranquillity; but these are neither frequent nor important enough to cause us to lose sight of the benefits of that rule and to confide in it as the keeper of our civilization.

Within the state we denounce, with all the strong adjectives available for the purpose, just that mode of action which we still maintain between the nations. Our relative success in the tranquillity-experiment seems so precious within the limits of each state, that those who overtly or covertly arm themselves to destroy the organization, or to defeat its results, are considered as public enemies. Yet, in fact, these recalcitrants are inspired by the same motives which animate the national group when it goes to war. That motive, in short, is the familiar one originally found as dominant among all simple organisms. It is the

guiding principle of beings controlled by their immediate desires, and having no realization of future compensations.

In condemning the rebel, be he an armed robber or a political insurgent, we say, in effect, to him : " You wrong not only our interests but yours also, because common experience has shown that, in the long run, the interests of all of us are best subserved by subordinating the present demands of individuals and small groups to the majority will of larger groups to which we belong. If that will were obeyed without physical contest, you would be able, in all human probability, to obtain compensations for the sacrifice of your immediate desire through satisfactions derivable from a future of preserved order. Since you do not appreciate and apply this wisdom, since you thus threaten the common good, we will either suppress you completely by killing you, or we will repress your violent activities. In that case, we shall not be disturbed in the enjoyment of the fruits of our wisdom, and you may, in time, learn that those fruits are sweeter than anything that you can grasp by violence from the tree of life."

And now, why may we not preach the same sermon to the national groups ? Why do we feel that the wrong of competitive force within the state becomes " righteousness " and duty as between state and state ?

The answer is relatively simple. The violent citizen is disturbing an organism which would ensure him tranquillity because it emanates from, and in turn controls, all other citizens of the state to which he belongs. As they are now being protected from his attacks, so he will be protected in case the rôles

be reversed. Thus he has his reward for the surrender of his liberty. But to-day a nation has no guarantee that its presumed interests of the moment, if sacrificed for the presentation of order, will be compensated in the future. There is no mechanism set over all nations to ensure general tranquillity. We may then summarize thus: The existence of a peace-keeping mechanism over certain groups renders war between those groups harmful to themselves, and to all others in the group, and that harmfulness we call criminal. It is harmful because continued and general violence means the extinction of the whole society. Inter-group violence does not serve inter-group interest, since the central force guarantees each group against present or future violent attack from another, and guarantees also an opportunity in the future for compensation covering present sacrifices.

On the other hand, in the absence of a centralized judging and enforcing organism between nations, war remains the only means of protecting interests which, if sacrificed now, may not be compensated in the future.

Should we endeavour to create such an organism, we should benefit by a vast mass of experimental knowledge gained in the past. The effort would be made in recognition of the possibility of occasional or partial failure. It would be made in recognition of the fact that in spite of such occasional and partial failure, the common judgement of mankind, operating within existing sovereignties, pronounces in favour of centralized force as against competitive force.

It should be further borne in mind that international organization does not suppose that the constituents of the group are all uniformly and exclu-

sively animated by sentiments which will give rise to an overwhelming group-will on any point, except that of a desire to maintain order. Nor does it suppose that even this practically unanimous desire will not be occasionally foiled by excited rebellion on the part of those who support the principle. On the contrary, the typical and habitual organization which has produced relative tranquillity, supposes diversity in what we call public opinion. It also supposes that this diversity, and all rebellions against order, will be composed and repressed by force-mechanisms. It supposes that these centralized force-mechanisms yield, in general, more desirable results to the human race than were, in earlier stages, obtained by competitive force-contests constantly arising between those individuals and constituent groups which have been organized into states. The constable will not always be idle.<sup>1</sup>

<sup>1</sup> Further discussion of this subject is found in Appendix C.

## CHAPTER XXV

### GENERAL CAUSES OF WAR: PARASITICAL CAUSES OF WAR

WARS may be conveniently grouped in the following manner :—

*First*—Those which flow directly from the existence of war as a system. The conflicts resulting from these may properly be termed “parasitical wars.” They would automatically cease with the disappearance of the system.

*Second*—Those due to causes which have operated in the past, but whose force is now negligible. The actual removal of conditions once provocative of war is not immediately recognized by popular opinion. Hence we may fight for a belief which has lost its foundation of fact. But, since the truth will eventually appear, such wars may be called obsolescent.

*Third*—Those due to forces still effective to produce disagreement between nations.

It should be remarked that it is not usually possible to trace any particular war to only *one* motive. Frequently a medley of misunderstandings, and a conflict of various ambitions, contribute to a confusion of our passions, eventually expressed in physical violence.

And it goes almost without saying that no absol-

utely definite lines can be drawn between the dead and the living causes of war. Some are obsolete, some obsolescent, and some are very vigorously alive. Nevertheless, classification will be found helpful in making a review of the past, and comparing it with the present and the probable future of international disputation.

Parasitical wars appear chiefly in the five following forms :—

(a) Those waged between former neutrals and belligerents over alleged infractions of their respective rights as neutrals or belligerents.

(b) Those aimed at the seizure of points strategically important.

(c) Those intended to weaken a power whose immediate warlike preparations suggest hostile intent.

(d) Those inspired by the ambition of a military caste, or by the restlessness of a military populace.

(e) Those intended to avenge injuries suffered in a previous war.

### *Wars for the Protection of Neutral Rights*

The mere naming of these conflicts indicates that they are of the parasitic class, being bred in the very flesh of the war-system. Neutral rights constitute a sort of salvage from war's havoc of peace-time pursuits. The existence of a neutral supposes the existence of belligerents. A vast amount of white paper has been covered with black marks in a vain endeavour to define and codify the relations which are supposed to exist between the citizens of neutral and those of belligerent countries. The system of rights and obligations tends to grow in favour of neutrals during wars waged by relatively weak

belligerents. Then the house of cards collapses if the big fellows of the world fall to blows while the little fellows remain as lookers-on. Despairing diplomats quote Grotius by the page, and are promptly bowled over by some brutal "Berlin Decree" or "Order in Council." If the protesting neutral be strong, a threat may be sufficient to stop the aggression upon his so-called rights. If he be weak, he must submit or fight for his rights.

As a converse to the defensive wars waged by neutrals, the maze of history shows also that belligerents have sometimes struck at neutrals, declaring that the latter have deviated from the precarious line of conduct which international law (God save the mark !) requires them to follow while others are at war. Uproar is thus added to uproar, bloodshed to bloodshed. The subject does not require extension. The parasitical character of these contests is so obvious that even the most confirmed inevitablist will grant that this particular growth will cease to be, if by any happy chance we may kill the body upon which it feeds.

It is highly probable that there will be new conventions after the existing war shall have ended, in which men will again attempt the dizzy task of defining neutral rights. And it is quite certain that, having accomplished this task, the next great war will emasculate these definitions, or will present situations not dreamed of by the framers of a new code of so-called "war-rights" and obligations. And further, unless in that next war there shall chance to be outstanding from belligerency some great neutral power, the wreck of neutral rights will be substantially complete. There is only one cure



for wars arising from this source, and that is, to remove the source.

### *Wars for Possession of Strategic Points*

No territory can gain immunity from violence by sterility, or by any other undesirable quality, if, perchance, its geographic situation is such as to suggest to some strategist that his country might need that particular rock or swamp in its military contests. Sites for frontier fortresses, heights along river boundaries, convenient harbours on the sea, lone islands commanding trade routes—all these are as crown jewels to the general staff, and, under one cover or another, by fraud or by force, they will, if possible, be seized and held. Perhaps their value may not be fully appreciated save in the course of a war begun without respect to them. In such case, additional sacrifice in that war, or even another conflict later waged, will be directed to the coveted object.

It would be possible to make long recitals of tragedies illustrating the principle involved. The terrible results of the seizure of Alsace-Lorraine are fresh in the minds of all of our generation. It is true that the strategical importance of this territory did not stand alone in the German mind when the decision was made to exact its surrender. There was also the claim that Germany was recovering stolen property. Yet so largely did this military consideration enter into the case, that it will ever stand as one of the most fateful examples of disasters bred by trying to forefend disaster. For the purposes of this treatise, it is sufficient to point out that, if the nations set up

over themselves a peace-compelling power, they will by that very fact eliminate the temptation to seize strategical territory, as such, and reduce by one important factor the causes that have heretofore led nations to war.

We may here refer also to a class of contests not necessarily territorial in their character, but which are inspired by the same thought, namely, that of weakening a possible foe by a quick blow, forestalling similar action expected from him. This sort of war will not often be openly alleged as a "preparedness" contest. Yet history, after having had an opportunity to analyse and to uncover diplomatic documents concealed at the time of their writing, records not a few examples of this forehandedness. Seeing a neighbour grow strong, anticipating perhaps only in a general way the possibility of future conflict, the prudence of statesmen has sometimes dictated a blow intended to prevent the growth of a possible enemy force. The motives for such wars are often concealed by very flimsy pretexts, but are revealed by those who believe that vigilance should be active as well as passive. They are mentioned here because, like the wars aimed at the seizure of strategical points, *they grow solely out of the system of war*. If our disputes are to be settled by other means than violence, we need not endeavour to hamstring our neighbours.

### *Wars due to Militarism*

The military spirit—even more narrowly, the "military caste"—is charged with responsibility for various wars. There can be no doubt that profes-

sional soldiers, if at all mettlesome, must desire to do the real thing for which they may pass a life-time of preparation. The lawyer who "reads from youth to grey hairs" without ever trying a case, becomes—and doubtless feels—almost ridiculous. Similarly with military men. And no one can doubt that an army, *as such*, is the better for an experience in actual fighting. Yet we are so far removed from the "good old times" that wars are not fought avowedly, specially, and solely as a gratification for, and improvement of, our regular armies. If the military spirit, or caste, have consciously or unconsciously given prejudiced judgement in favour of a war-declaration by their country, we say, "That is natural—of course they will vote for war." But we must—and they must—find some *casus belli*, giving fair show of justification, on other than purely military grounds. Only sham battles will be fought openly for drill purposes. Real battles, even if wanted to "improve the army," find their *raison d'être* in national policy or in any of the usual forms of national susceptibility. Hence we cannot actually catalogue any modern war as one waged for, and by, the military caste for its own edification, its own education. We can say, however, in so far as any war may be due to "militarism," that it is a parasitic war. Obviously the whole issue will fail if we establish the New Order.

The influence of munition manufacturers and that of their representatives in the various governments has been a factor in arousing international distrust, and developing the war spirit. It is but natural that the maker of guns should look with favour upon the thing which immeasurably increases his market.

Happily we may dismiss this subject after thus merely stating it. It is another case of parasitic character. It will go with the system of which it is a part.

A vanquished nation frequently makes, in a peace treaty, solemn engagements which are not intended to be kept. At least they will not be observed if future occasion permits reprisal. So we have wars waged to avenge injury suffered in some previous war. The chain is not endless, but it may have many links. Our own day is darkened by the malign out-workings of the principle that war breeds war. France made her alliance with Russia, and entered the present conflict because of things done in 1870-71. That is an example of a rather long smouldering of the embers. Bulgaria, outraged by one set of peace-conditions which could not be resisted, let scarce a year pass ere she tried to enforce the claims that had just been yielded.

Men say, "We have suffered wrong in one arbitration by the sword. To the sword we again appeal. *There is no other tribunal.*" It is true that when considerable time elapses between the first war and the succeeding war of attempted reparation, new issues may enter. These might in themselves have been sufficient to create a dispute. But in the Franco-German relations we need scarcely doubt that 1914 is the legitimate descendant of 1870. And 1870 was a legitimate child of the existing chaos. Probably no tribunal would have supported the French Emperor's demand concerning the Spanish throne, nor would such demand have had the slightest *raison d'être* in an orderly world. And, without war, Alsace-Lorraine would never have been separated

from the government of which it formed a devoted part.

We may reasonably place a considerable number of all wars in the parasitic class—wars of repetition, of revenge, of recovery. They will all vanish with the system.

## CHAPTER XXVI

### RELIGIOUS WARS—OBSOLETE OR OBSOLESCE

It is gratifying to be able to place among obsolete (or obsolescent) causes of war a motive which, in the history of Europe, might have been expected to work for peace. We mean the religious motive. It has sadly disappointed such expectations.

Religion is a system of morality-enforcement, based upon beliefs in the commands of supernatural beings. In the actual development of our civilization, it has not been possible to divorce the practical work-a-day codes of conduct from dogma, ceremonial, and organization relating to the supernatural elements of the system. Differences concerning these matters have led to strife of the most ferocious kind. The blood shed for religion's sake has often been poured out in civil wars. With these we have to deal only as they grow into, or cause, international conflicts. But as European history has been particularly rich in examples of this sort, the whole subject is properly reviewed in this treatise.

The first violences due to the so-called Protestant Reformation in Europe were domestic—neighbour arrayed against neighbour. Gradually, however, large majorities in various states adopted or rejected the principles that had been enunciated by a rebellious

Luther and his associates. Religion and nationality were intimately associated in the minds of large numbers of men. Certain governments which had once been uniform with all other European governments in requiring observance of the Roman Catholic forms, then became equally rigorous in excluding these forms and requiring others. Zeal for one's faith became the strongest of political motives.

Such zeal modern Europe and America can no longer understand. It is true that the embers of this destructive fire still smoulder in Ireland, in Belgium, and among the backward Slavs. Even in intellectual Germany, a great party organization bears a religious name. In emancipated France, Liberalism has but yesterday scored its final victories. In Italy, ultra-orthodox Catholicism still yearns to see political government seated in the Vatican. Yet after taking all this into account, we may safely say that state will no longer be arrayed against state because of religious difference. North and South America are equally secure against fanatic incendiarism. Latin America is almost free from Protestantism, but its educated classes have no thought of fighting international wars for the papacy. In the United States and Canada religious freedom lies at the foundation of political institution. Ignorance and bigotry can do no more, in all the vast populations of Europe and America, than to stir up occasional disorder within some backward population. They can no longer array national armies against each other.

In Russia, Church and State yesterday were substantially one. The ignorant Mujik conceived of his distant ruler as endowed with power over body and soul. It might be thought, therefore, that this vast

population, still stumbling in the dark, may again set up a theocratic state, and thus defeat the optimistic generalization which has just been made concerning religious peace in Christendom. This same semi-idolatrous Russian peasant is, however, for the most part, a sweet-tempered individual. While his gnu-flexions are many, a placid disposition seems to have preserved him from violent fanaticism. The superior classes apparently care little for religion, save as an instrument of government ; and in Russia there is no tradition calling for world-evangelization and universal subjection to the Church which they conceive as a national institution. There may be a revival of harsh treatment of unorthodox Christians subjected to Russian rule ; violence against Jews may again be inspired by a mixture of racial, religious, political, and commercial prejudices ; but the slow leaven of modernism is working to cure these internal evils, and there is no evidence that the pan-Slav movement, however dangerous it may be as a political manœuvre, can reasonably be construed as an aggressive religious propaganda.

During several centuries the political pretensions of the papacy produced a new cross-breed of wars. This breed has happily died out. The Roman Church declared that its pontiff was not only religious director of the world in the matter of private morals, but that he was also political director, with divine right to settle kingships, and even to exercise temporal powers in his own right. A more radical step was taken when lieutenants of the Pope, great officers of the Church, were made sovereigns over various territories. In all this, the basic principle was religious. It was believed that an eternity of



happiness or of pain depended upon the creeds avowed by each individual in the world. Over his conduct the state exercised a very large control. But as the substance of the matter—namely, the future state of man—was believed to be in the special keeping of the Church, it seemed a perfectly logical position that the Church should rule the State, and through the State should rule the individual, for the sake of saving him. Out of this well-groomed theory arose great contentions, even before Luther had successfully challenged the spiritual headship of Rome. It is now only a question of nice definition as to whether wars thus motivated shall be classed as political or religious. Whether considered under one denomination or another, we may classify papal wars as having gone out with the strong-bow and the lance.

Turning away from Christendom, one enters with a certain sense of relief into the quiet atmosphere of Buddhism and Confucianism, numbering their followers by hundreds of millions. The latter of these two great systems very happily makes no claim of miraculous birth or other supernatural relationship for its founder. While the Buddhist does indeed believe that Gautama enjoyed spiritual experiences beyond those of ordinary mortals, yet the idea of killing a man who had not yet been privileged to hear and believe Buddhistic doctrine would scarcely occur to one of the millions who are inspired by the Great Illumination.

In so far as religious observances, both in China and Japan, have become state functions, they are peculiarly national in their appeal to the worshippers. To impose these observances upon foreign peoples would be a *désécration* rather than a duty. Such

fanaticism as may yet mar the practice of Buddhism and Confucianism will be wreaked upon the unorthodox of the same body politic. It will not move either one of these nations to a crusade against unbelievers in foreign lands.

Turning to India, and considering the adherents of Hinduism alone, we find a double assurance against the probability of international trouble flowing from religious prejudice. The Hindu religion is for Hindus. There are indeed, among the intellectuals in India, those who conceive of their gods as universal Powers ; but the author has found, in conversation with some of the most enlightened among them, that they simply do not contemplate an association in religious practices of Hindus with foreigners. The philosophers of India may indeed endeavour, as peaceful missionaries, to spread throughout the world some knowledge of that mild doctrine which we Occidentals know as theosophy. Nevertheless these men would not expect you to worship Vishnu or Siva in their temples. Certainly they have no desire to roast you if you do not do so. Beside these deterrent influences, which alone would render Hinduism innocuous in world politics, the political situation of the great peninsula gives another guarantee, if other were needed, against international war as an outcome of religion. Such unity as exists in India has been produced, and is maintained, by the firm control of a tolerant Christian power ; and within that vast political organization is found another religion avowed by sixty millions of relatively strong people, who would never permit the material forces of India to be directed toward the spread of Hinduism.

Mohammedanism, which bulks so largely in the

Indian problem, considered alone, stands out also as a great world force. It is this force which many students consider as a threat ever hanging over Western Asia and Eastern Europe. Like its rival, Christianity, Mohammedanism is a faith in a *personality*. The partisanship which may first express itself in love and adoration for a deified or glorified man, soon ferments into hate against those who refuse recognition of the hero's claim. The magnificent movement which swept East and West from Arabia, in the great days of Mohammedan conquest, has indeed spent itself. Memories of it linger wherever the Koran is read. Fanaticism may even now be excited among those who have learned by heart the fighting verses of that great book, and who have overlooked the tolerances which may also be found within it. The followers of the prophet still count many millions of ignorant and excitable people; but these dwell for the most part in the remote regions of the world. They are without that political organization which made possible the rule of the Caliphs from Cordova to Bagdad. They are confronted, moreover, by vast forces, which have arisen since the days of glorious memory. The largest body of Mohammedans living in geographical and political unity is controlled by quiet gentlemen who gather in the clubs of London; and the more enlightened members of the faith, wherever they may live, are fully aware of the fact that the Mohammedan world is impotent to confront the Christian world in arms. The only considerable body of Mussulmans still retaining political sovereignty is now allied to great Christian powers. The Turkish Sultan sends his faithful subjects to fight side by side with infidels, and to be slain by other followers of

the prophet who, in turn, are subjects of Christian states.

The absence of religion as a motive power in the Great War may be indicated by glancing at the opposing arrays of arms and faith. On the one side we have seen the British Empire—Protestant, Catholic, Agnostic, Hindu, Mohammedan, Buddhist, Animist, and Jewish. France—Catholic, Agnostic, Protestant, Mohammedan, Confucian, Animist, and Jewish. Russia—Orthodox, Mohammedan, Buddhist, Armenian, and Jewish. Italy—Catholic, Agnostic, and Jewish. Japan—Buddhist, Shinto, and Agnostic. America—Protestant, Catholic, Jewish, Mohammedan. On the other side we behold Germany—Protestant, Catholic, Agnostic, and Jewish. Austria—Catholic, Protestant, Agnostic, and Jewish. Turkey—Mohammedan, Christian (of diverse shades), and Jewish. Then Bulgaria—Christian and Jewish. Standing just within the edge of the controversy is Persia, controlled by two Christian Powers of different confession, its own people Mohammedan Shiites, ignorant whether they are really fighting on one side or the other, as they struggle for independence from the Christian suzerainty, and yet fear the Mohammedan Sunnite just across their western border.

We may deplore the fact that the world is now racked by war; but we must take a certain satisfaction in observing that gods and goddesses no longer act as commanders-in-chief, hurling their votaries and their victims against the partisans of rival imaginations.

Now the special value of all this in the inquiry which we are making is to be found in this statement

—namely, that in the very nature of the case, religious disputes cannot be submitted to earthly arbitration. In such controversies, supernatural beings, or men to whom supernatural qualities have been attributed, are supposed to take part, visibly or invisibly, and to inspire the combatants. An *impartial* tribunal would be abhorrent to the most intimate convictions of the partisans. If judgement were endeavoured to be applied by violence, no police power could reach the imaginary leaders in the contest. All the theories that led to religious war are now either quite outworn, or they are being restricted in their effects so that international statesmen may leave them out of account. In other words, *here is one most fruitful cause of war in the past which we may now practically strike from the list.* In doing so, let us remember that our judgements concerning the possibility of eliminating international war have been largely formed by contemplation of the never-ending cycle of wars in the past. That inevitability which is supposed by many to attach to war has grown into the dimensions of a dogma because of our war-like past.

Just so far as we see that the number of causes of war is being diminished, and that the remaining causes are in themselves susceptible of treatment by reason, just so far shall we be able to free ourselves from the handicap that this “inevitability” theory now places upon the race.

## CHAPTER XXVII

### DYNASTIC WARS

IN the universe of intelligence, as in the material world, phenomena are graded into each other by insensibly small differences. Thus we observe that the weak and confused intellect of man has imagined full-fledged gods whose origins are thought to be untainted by any strain of human blood, while alongside of these greater gods he has placed others having all conceivable relationships with human heroes. As reason grows stronger, these creatures of his own imagination lose somewhat of their character as guardian angels. The weaklings of our race have then turned from celestial to human individuals and families, and have yielded to these an obedience and an affection falling but little short of adoration.

Dynasties have established themselves over vast groups of men, who, whether through love or through fear, have dedicated their lives to the greater glory and strength of their masters. Flowing from a complex of sentiment which we need not here analyse, men have gone to war with little inspiration other than the desire to add to the glory of their sovereign. The Egyptian and Mesopotamian records in particular afford striking examples of great international contests, for which no other explanation is thought

necessary than the purpose that a Great King may become a Greater King.

If in these cases there is any suggestion of benefits flowing to others than the monarch, it comes with the distribution of booty to the soldiers of the victorious army. It is true that tribute was levied upon a conquered people whenever possible ; but the limitations of transport were such that this tribute could not largely ameliorate the condition of the " public," which stood behind a conqueror. Numerous references indicate that the tribute actually collected consisted in great part of articles of luxury, which meant nothing to the toilers on the Tigris or the Nile.

It remained for Rome to organize conquest into the dimensions of a business. The Mediterranean permitted transport of foodstuffs on a scale vast indeed, when compared with that which was possible as between Egypt and Mesopotamia. Even when the liberties of the Roman people had by themselves been placed in the hands of an Emperor, war was waged not only for the glory of that monarch, but for benefits which were distributed perhaps as widely as it is possible to distribute wealth seized by violence. Successful generals were given a free hand to accumulate fortune, soldiers were liberally rewarded, and the people " back home " actually received something material, through the distribution of tribute grain. Slaves were also garnered in considerable and, finally, disastrous numbers. Lands were assigned to colonists who, let us hope, benefited by these assignments, and who certainly established useful centres, from which radiated whatever was valuable in Roman civilization. However baneful may have been the spirit which drove these mighty men on to their

conquests, we are forced to recognize that a certain equity was observed in the distribution of the wealth and the power secured by Roman arms. The nod of a dissolute Emperor could send armies hither and thither throughout the Mediterranean world; his crazed fancy could slaughter the friends who stood around him at the banquet table; but he could not wholly destroy the old customs of conquest which made all Roman citizens partners in the profits of war.

European history, until a very recent period, has not been free from the bloody effects of this man-idolatry. As late as the time of Louis XIV., Frenchmen seemed to delight to throw themselves away, that the kingdom and the power and the glory of the *Roi Soleil* might be magnified.

A century later Napoleon's great personality seemed to have revived the hero-worship which gave to Alexander and Caesar almost the position of demigods. The Corsican's adorers developed a cult powerful enough to disturb, but not to set back permanently, the currents of modern political thought. The mythical figure which the French mind had engendered was sorely wounded at Waterloo; its weak reincarnation received a *coup de grâce* at Sedan. Napoleon the Third had waged war to strengthen his dynasty. As a concession to modern ideas, however, it was necessary to do much more than to invoke loyalty to the spirit of the great man whose name he bore. Explanations, half-sincere, half-hypocritical, were given to the French people and to the world. Success in 1870 might have again galvanized into life those beautiful sentiments of loyalty which characterized the French people during centuries of



sacrifice to kingly glory. Failure dethroned not only Napoleon the Third, but monarchy itself. He and the cult which he represented went into exile together, out of French territory, and out of French thought.

We need not quarrel with any of the great sentiments which have animated our ancestors. We may even assume that the sacrifices required by these sentiments brought compensations. It is sufficient for our purpose to recognize that we are no longer stirred by them. We refuse to make the sacrifices, and we are ignorant of the compensations. To-day there is no family in Europe for whose sole glory thousands of men would knowingly sacrifice their lives. Nor will it be easy to find disguises with which to cloak self-seeking contests from the restless intelligence of any modern European state.

In general, we may say that the spread of democratic institutions in all their forms, and the progress of democratic sentiment, even where monarchical forms are preserved, has ended the chapter of wars waged solely or chiefly for the glory of a dynasty. They belonged to the same category which embraced the turmoils of religious fanaticism. Both were incommensurate with any standard supplied by reason. In the very nature of the case, a contest avowedly made for *glory* could not be submitted to impartial arbitration. No rule of "right" could enter into the determination of such ambitions. Their pretensions were absolute, and intractable except by force. We must again remark that this now obsolete cause of war has, with others of like kind, tended to create that firm faith in the "inevitability" of war which it is our present business to question.

## CHAPTER XXVIII

### EARLY COLONIAL MIGRATIONS

COMMON experience teaches us that endeavours by fractional groups to seek their own interests, as distinguished from those of their associates, lead constantly to the breaking up of old combinations and the forming of new unities. These endeavours, when made by persons remaining within the body of a state, may appear either with or without violence, and are dealt with through those mechanisms of government which we have cited as precedents for international organization. On the other hand, citizens sometimes voluntarily seek their interests by departure to new lands, or they may be led thither by pressure or persuasion from the state itself. Such migrations have had much to do with war-making in the past. They therefore merit our consideration.

The practical point that constantly urges itself upon the world's attention in connection with migrations is this—there is plenty of room in the world, as yet, for the excursion of *individual* emigrants from densely occupied territories into others less congested. There is *not*, however, plenty of room for the expansion of their parent states, *as such*. The old flag cannot always float over the new home. The child's labours in strange fields cannot always feed

the mother's ambitions for wealth or power. It is worth while, therefore, to consider the irritations and adjustments connected with the movements of numbers of men from one country to another.

What motives inspire those who quit their ancient seats, seeking an establishment for themselves and their families in some far land? Many such adventurers in the past have been moved, not by economic want, but by some political or religious pressure which rendered life undesirable in the land of their birth. Very notable indeed were migrations of this character before the modern period of relative liberty in European countries. In our own day, we see rare examples of this phenomenon. Jewish populations in Russia, and certain Christian populations in Turkey, continue to express profound dissatisfaction with their native conditions by venturing forth to distant lands. It happens that the New World offers to these wanderers an asylum in which their moral and material advantage is assured. Similarly, the exodus from Germany, which was marked about the year 1848, and continued over a period of approximately twenty years, is known to have been due in considerable part to political discontent.

The wholesale Irish emigration, of about the same period, testified to general poverty, but a poverty ascribed by its victims to English tyranny, exercised by public and private agencies. It matters not whether their cry was just or unjust. It remains that the exiles were not moved by a desire to build up the strength of the states from which their departure was in the nature of an escape. They gave quick allegiance to a government that hospitably received

them, and which was strong enough to absorb and protect them. It may, at the same time, be said that the governments losing these citizens esteemed that loss rather as a gain. Both parties were then satisfied by the separation, and dreamed not of war in connection with it. With much stress and strain, good was born out of evil. A beneficent process of diffusion was accomplished without international shock.

Going farther back, and reaching the American Colonial period, we find, almost from the beginning, a more sinister aspect of affairs marked by wars between great powers for control in the New World; and finally, revolution in the New World to overthrow that control.

It will be interesting to trace, in bare outline, the reasons for these disasters.

Three different currents of humanity flowed across the Atlantic from east to west. One of these streams was made up of men who understandingly sacrificed material prosperity for religious and political liberty. The power of their native state extended nominally over the uncultivated empires into which they ventured. But distance gave a certain freedom. Seeking this freedom, these men bore with them only a lukewarm allegiance to the government which had oppressed them. The Puritans of New England were the chief representatives of this class.

In the second stream we see men inspired by love of adventure, or by hope of quickly-gained wealth. Some of them were favoured by the Crown, which permitted and encouraged their enterprise. They considered themselves as Empire-builders for a state-power of which they were loyal elements. Spanish

and French adventurers offered many examples of this class.

The third current is happily unimportant in numbers. It consists of men expelled from their native land for various forms of deficiency. They know little of patriotism, perhaps less of pride or steadfastness in personal opinion. They complicate the domestic problems of every land; but unless very numerous, they scarcely affect its international destiny.

In connection with these three forms of swarming out into wide spaces, there is no suggestion of war, except indeed the contests waged with savage occupants of coveted lands. It has been our habit to dismiss these contests from the categories which we dignify as being of *international* character. Red men, we virtually contend, did not form sovereign states. We will not stop to quarrel with the justice of this attitude. It is sufficient to point out that, in carrying on the process of Indian extermination or ejection, the colonists, for a very long time, found it convenient and desirable to maintain political connection with their respective home governments. Even those whose exile had been inspired by injustice at home, saw clearly enough that their *advantage* lay in maintaining the old political connection. When the rancours which first animated them had somewhat died out, and when they had enjoyed or abused the new liberties possible to them in an almost unoccupied land, there was a renaissance of ancient loyalty.

In the vast continent which stretched around the early French, English, and Spanish settlers, there was space enough, and to spare, for all. No plea of land-hunger (if by this we mean land-need) could

reasonably be offered in explanation of the wars which were waged for possession of continental regions, known only on their salt-water boundary. These contests were, in part, outgrowths of ancient jealousies and traditional animosities which would bring conflict wherever there was contact. They were, from this point of view, the mere by-products of all those national reactions which constituted the history of Europe proper.

But it must also be recognized that these colonial settlements offered in themselves substance of quarrel which seemed wholly justified by the ideals of the time.

As already remarked, the colonists felt the necessity of maintaining political relation with one or the other of the strong powers then existent in Europe. Choice and compulsion both directed them to that power which governed their own native country. Even those who had left Europe through disaffection would have hesitated to seek better conditions under an alien flag. And the convenience of a community of language for official and commercial intercourse had value, independently of any sentiment of patriotism.

There was also another practical advantage, which was an outgrowth of the narrow nationalism of that day. Every adventurer was forced to recognize the fact that an Englishman would find small measure of grace in any territory controlled by France or Spain. Equally, Frenchmen and Spaniards could look forward with confidence to injustice and disfavour if they established themselves under the shadow of the British flag. It was quite taken for granted that if, indeed, the polite nations of Europe might give some

protection to the mere *lives* of foreigners, they would not be expected to let those foreigners flourish under equal favour with their own citizens.

As a consequence of this pronounced separatism, the adventurers of each European nation had an interest in the extension of their native flag over as much of the new territory as possible. Nay more, their profit lay in the strengthening of that power generally throughout the world. For should an enemy weaken it, the little children-states in the wilderness would surely be attacked, and perhaps destroyed by the European victor. Even if not destroyed, they well knew that they would be subjected, morally and materially, to the harsh rule of the conqueror. As a consequence of these conditions, American colonists of different nationalities were found ready to join in attacks of the most cruel character upon settlements whose very weakness would be their defence, if chivalry were aught but an artificial conventionality in our breasts.

We may imagine, however, that but for certain other factors in the problem, colonial antagonisms would have been more frequently compounded in peace, without involving the colonists or their home governments in war.

The rapacious ambition of sovereigns and of courts presented one of these factors. Indeed, by the contagion of example and of preachment, mere pride of empire spread from the courts throughout large sections of the people who sacrificed themselves to it. This political gluttony may be condemned as irrational and unjust; but it existed in great force. It still retains, in some measure, power to disturb the world. Closely related to it (perhaps hardly to be

separately catalogued) was the desire for place and emolument which animated the patriotism of the hangers-on at courts, as it now so often inspires the devotion of party-workers in domestic politics.

Then there was the traders' appetite for markets of special privilege. Roughly outlined, national colonial policy ran thus: "The more territory, the more planters. The more planters, the more customers for wares that must be bought in the home country and transported in ships of home ownership. Hence, England, France, and Spain must fight for control of unsurveyed continents. Besides, there is the lure of gold and spices—will-o'-the-wisps for every yearner after fairy fortunes."

The ambitions of rulers and their satellites; the interested patriotism of place-hunters and traders; the solidarities of language and tradition, and the relative weakness of new settlements in savage lands—these are the forces which made of the New World a continuing *casus belli* among the active European states.

Religious hatred, of course, played its part in this, as in every other drama of blood enacted by Christendom until the dawn of a better day, something like a century ago. We need not, however, dwell upon this subject, since Catholicism and Protestantism became so identified with ignorant patriotism that they may be conveniently referred to merely as elements in the general strain of international animosities.

If we have gone at some length into an analysis of the relations which linked American colonization with European wars, it is because of the importance of comparing earlier relations with those that now exist. We have seen that the pioneer from Europe



to America had some good reasons for supporting his native country in its conflicts with others, whether those conflicts arose from new-world conditions, or whether they related solely to old-world quarrels. Difficult, indeed, would be the way leading toward international peace if such conditions still largely prevailed in our day.

They have disappeared with the complete assignment of once unknown territories to the control of organized governments, either European or American, and with the peopling of those territories, resulting in a growth of the new governments into coherence and stability substantially equal to that of the older states.

Particularly has the great power of the United States served as a check to European dynastic or other national designs against American establishments. The Monroe doctrine (elsewhere discussed) is a harsh and an illogical formula; but, withal, it may be credited with much pacific effect in the past. We need not refine such a speculation. It is sufficient for our purposes to state that if, indeed, certain forces familiar in earlier periods should again operate to produce militant European action in the Western world, it is not likely that any American state will extend "aid and comfort" to the effort.

Both in the United States and in Argentina we see populations composed of diverse stocks. Yet in neither does it appear that the governments would be seriously embarrassed by "old country" prejudices of any group.

We may conclude that in America, European migrations may continue to be great in numbers, but will not breed wars as in ancient days. In Africa

it is not probable that European colonists will develop into great states of white civilization, save perhaps in the South. There a stable equilibrium seems to have been found, in the loose federation of the British Empire. Elsewhere African territory will continue to offer the characteristics of "possessions" rather than true "colonies."

Large numbers of subordinated peoples will be under the control of small numbers of Europeans. This perplexing relationship is discussed in other chapters. We shall see that "possessions" may still breed war, while "colonies" have ceased to trouble.

Consideration of the "surplus population" problem, undertaken in the next chapter, will tend all the more to allay fears concerning our future peace, in so far as it may be affected by *facts* rather than by traditions.

## CHAPTER XXIX

### CHILDREN AS DRAGONS' TEETH

“THE swarming out of surplus populations has produced, and always will produce, war.”

Here is a smooth familiar phrase that has echoed down the corridors of time. It has inspired wars in the past. It predicts others in the future. If we may not question the record of its power yesterday, let us challenge its horoscope of to-morrow.

Let us see whether anything has occurred since the day of Malthus to suggest a revision of his conclusions.

A given territory will support in reasonable comfort, and independently of foreign commerce, a population varying with natural soil fertility and with the development of scientific methods in industry and government. The variation is a wide one. Great changes in sustaining capacity may take place in one generation. Even if we set aside the value of Germany's foreign commerce, in supporting her population, it will be found that the Empire is to-day less crowded, economically, than it was fifty years ago, although within that period the population has vastly increased. The progress of agricultural science alone permits a steady increase in the number of people who can be fed and clothed from the products

of a given territory. Progress in other branches of knowledge tends in the same direction. Human history has been profoundly affected by physical science during the last hundred and fifty years. So far as wealth production is concerned, we live in a new world. A man-day of labour in our time, expended in field and in factory, supplies approximately twice (?) as much of things desirable as was possible a century ago. If we survey any considerable territory, such as that occupied by the French, German, or Italian nations, we find large bodies of men free to trade with each other within national limits, and to take advantage there of practically all that science has done to lighten our burdens. Even if the protectionists should work out their weird purpose to its fantastic conclusion of national isolation, it would yet be true that large societies such as those mentioned could live on their own lands, warmed by the sun of Science. If all foreign trade were killed, the period of readjustment would, of course, be uncomfortable. It would not, however, be fatal. Granting a continuation of the inventor's sleepless work, backed by good government, each great country could continue to maintain its present population, and provide also for *some* increase. The world would not be as interesting and agreeable a dwelling-place if it were criss-crossed with Chinese commercial walls, but it would be bearable.

But it will be questioned by every intelligent student whether the increased production *by* men would or would not be greater than the normal increase in the production *of* men. In other words, can the chemist, the electrician, and the engineer defeat the fatal calculations of Malthus? Will economic

pressure force us to swarm over the Chinese walls if they exist, or across mere political boundaries if they do not exist ?

It will be shown later, in pursuing the inquiries stated in the last chapter, that even if this swarming takes place, there will be neither necessity for, nor advantage in, accompanying it by war.

Many of the conscientious pessimists concerning international peace assume two things—(a) *that the swarming will continue* ; (b) that this swarming must be accompanied by war. It becomes important, then, to inquire as to the validity of their first premise.

We have just seen that science alone will permit some increase in population without increase of territory. It remains to call attention to the fact that while science has thus been enlarging the earth, other secret but powerful forces are tending to diminish, or hold stationary, the populations of civilized countries. Hence, so far as swarming may be considered as a source of war, we are now led to inquire whether or not we need in the future take any account of it at all. Conclusions may be drawn from the following statement of facts.

France is, in many respects, the most civilized state in the world. Some values in life are lost, or at least diminished, by civilization. Others are newly created or increased. We need not, for the moment, concern ourselves as to whether the algebraic sum of human happiness resulting from these changes should bear a plus or minus sign. It is sufficient to say that in almost all those tendencies, which we identify with civilization, France seems to be just in the lead of other groups that strive in the same directions. A number of causes combine to place upon that country

the burden of first solving most of the problems which confront civilized societies. Special conditions in America have given to the United States a leadership in certain directions. This leadership diminishes in degree as our general conditions approximate more nearly to those in Europe. The exception is not sufficiently important to weaken seriously the statement just made that civilization shows maximum development in France. Its population is substantially stationary. *The world has no "swarming" to fear from that land.*

It does not follow that maximum civilization and stationary population are necessarily connected. The coincidence of these two facts in the development of one nation, however, we cannot pass without notice. The inference that they are related is made stronger by the showing of other facts.

If we look to America, we find similarly that the population is stationary, so far as the earlier stock is concerned; that is, roughly, let us say, those descended from immigrants of not less than a hundred years ago. Here is a body of people, highly favoured by circumstances. Until a short time ago, they were very prolific. While growing more prosperous, they have become less prolific. Within this group, as in France, there has been a general diffusion of practical education and of liberal ideas.

By "liberal ideas" it is intended to suggest not merely freedom from political servitudes, but also readiness to challenge all tradition, whether political, religious, or social. This is the spirit that has marked France since the days of her great Revolution. It produced radical changes in governmental organization, although it has not destroyed that adminis-

trative centralism which seems to be a concomitant of modern civilization. The existence of this highly specialized working organization has not interfered with a very great development of intellectual individualism. Freeing themselves from many traditional restraints, the educated people in France, and, similarly, those within the American group just referred to, have sought for happiness in this life by methods which do not always carry with them the stamp of age-old approval.

Life has tempted each individual with many solicitations unknown to former ages. Such new interests have been offered particularly in urban conditions. The ratio of city population to the total has continually increased. The progress of science will permit it to increase still further.

Meanwhile, the extraordinary inventions of our own day assimilate the activities of country life to those of the city dweller. In an increasing degree we must recognize that the tendencies and the results of civilized communities are the tendencies and results developed in the city. Electric traction and the automobile suggest the possibility of an outspreading population; in so far as they accomplish this, they also accomplish the spread of urban ideals.

In the city itself two forces co-operate to diminish the desire for a numerous progeny. First, there is the material difficulty of finding healthful space for large families. This is already so marked that the real estate owners and architects, who provide lodging for the millions of modest means, seem now to take it for granted that the large family is no longer to be provided for. This restriction, based upon necessity, goes hand in hand with the restriction based upon

choice. The manifold activities which tempt men and women away from the pleasures and burdens of parenthood are first appreciated by those of relatively easy fortune. We may denounce those who yield to these temptations as being worldly, feverish, light-minded, unpatriotic, and irreligious. The use of these adjectives, however, does not alter the fact that vast numbers of educated people deliberately prefer the theatre, the lecture, the afternoon tea, the social club, the political convention, or the scientific conference, to the pains and pleasures of a multitudinous family. Very rapidly, solicitations of like character are being placed within the reach of those whom necessity has already warned against the third or fourth child. Moving pictures satisfy a craving of minds which once went out to tottering infants.

Standing out from all the crossing currents of modern urban life is the *fact that cities do not reproduce themselves*. Further, in France as a totality, and in the American groups above referred to, the remaining fecundity of the country districts is not sufficient to yield a net increase of population.

We know that in some part the diminished fertility of present city generations is not voluntary. It seems to result from a general deterioration of the reproductive powers among the idle rich and the alcoholic poor. If involuntary sterility were the major element, and if there were a general desire to re-establish past conditions of fertility, we might look with some confidence to scientific hygiene for a restorative.

We know, however, that this is not the case. We know that, in large part, the infertility to which we refer is quite voluntary. In the well-to-do class, it is



due to a deliberate choice between competing ideals of life-value. Those of less income who make the same choice do so partly under the compulsion of sterner reasons ; but the result is the same.

This development of modern life is of the first importance in the study of every social and political problem. It has taken place in spite of the opposition of Church and State. It has been combated in the name of religion. Even some of the voices of science have been raised against it. Yet it becomes every day more pronounced. Gaining strength, it also gains courage. Only a short time ago it was furtive and hypocritical. Propaganda for it is now bold and open. Having long been charged as a dangerous immorality, it now declares itself as a beneficent morality. It was thought in France fifty years ago that religious authority would successfully combat the voluntary prevention of conception. When the diminished birth-rate indicated the wide spread of preventive measures, the powerful enginery of the Catholic Church directed its anathema against an old evil, so called, which had now assumed new proportions. In America, where Protestant Church organization is less centralized than that of the great Roman establishment, clerical condemnation was almost equally zealous and equally general. In England, the Bishop of London has recently thundered against the neo-Malthusians. Nevertheless accusing statistics show that the birth-rate steadily declines.

Some theologians appear to be preparing to discount defeat. As a condition of continued existence, organizations which expect to maintain old traditions must find new interpretations for obsolescent formulae. So now there are those who point out that the Bible

contains no absolutely clear teaching which condemns prevention of conception. It is then said that this question having been left open by the founder of the faith, clerical leaders may vary their position on this point, adjusting it to the various social conditions in the world. They would then be free to follow one or the other of those schools which undertake to determine the question solely from ordinary human considerations.

Quite outside of the religious camps, there is lay opposition to all preventive checks upon population, this opposition being based usually upon one or all of the following grounds: (a) that all such checks affect injuriously the health of women, and through them of their whole progeny; (b) that if prudential checks be eliminated, Nature will yet care for all the numbers that may be born, and that, under wise government, greater numbers will produce better economic conditions for all; (c) that in the present state of war-peril, each nation requires a big population as a source of military strength.

The last-named argument, of course, fails if peace mechanisms can be established; the second argument is at least disputable; and the first may be left to the care of that watchful science which now works such wonders with the human machine, and refuses to let "Nature" alone.

It is not intended, in these pages, to canvass the whole subject opened either by the religious or by the lay opposition. It is sufficient to point out that theologians are gradually transferring themselves to the laity ranks so far as this conflict is concerned. Their own arms have proved quite powerless, and they are wisely throwing them aside. Consequently, the

future movement in Christendom will be affected less, rather than more, by religious argument.

It seems quite safe to assume that increases of population among all states belonging to European civilization will diminish in about the ratio in which those states approach the social and economic conditions and the distributions of population, which are now observable in France.

It is interesting to note that a special Commission reported to the German Government, about six months before the Great War began, on the falling birth-rate in the Empire. For several years the matter had been gravely considered by perturbed statesmen. In substance the Commission reported as follows: "Yes, it is true the birth-rate is falling, and we don't know what to do about it." Such, doubtless, will be the finding of other commissions appointed in other countries to study this same subject. And yet, alas, it was in part—indeed, in large part—solicitude for the children who would never be born that led the nations to slaughter good flesh and blood already in existence!

Similarly, we find an English Commission, not governmental, but constituted of competent observers, making in 1916 the following report on the falling birth-rate in Great Britain:—

From the statistical evidence the Commission consider that the following propositions are definitely established:

(1) That the birth-rate has declined to the extent of approximately one-third within the last thirty-five years.

(2) That this decline is not, to any important extent, due to alterations in the marriage-rate, to a rise of the mean age at marriage, or to other causes diminishing the proportion of married women of fertile age in the population.

(3) That this decline, although general, has not been uniformly distributed over all sections of the community.

(4) That on the whole the decline has been more marked in the more prosperous classes.

(5) That the greater incidence of infant mortality upon the less prosperous classes does not reduce their effective fertility to the level of that of the wealthier classes.

They further consider that the following propositions, although based upon evidence less substantial than that upon which conclusions (1) to (5) rest, are also sufficiently well established :

(6) Conscious limitation of fertility is widely practised among the middle and upper classes, and there is good reason to think that, in addition to other means of limitation, the illegal induction of abortion frequently occurs among the industrial population.

(7) There is no reason to believe that the higher education of women (whatever its indirect results upon the birth-rate may be) has any important effect in diminishing their physiological aptitude to bear children.

With regard to the economic and social aspects of the subject, the Commission state :

“ We must face the fact that every rise in the condition of the artisan tends at present to lower the birth-rate in his class. Wherever political and social conditions bring a man or a class into a position in which he hopes to rise or fears to fall, the family will be restricted. That class of motives which we may blame as love of comfort, snobbishness, vulgar ambition, timorousness, or praise as proper pride, desire for self-improvement, and prudence, is the most potent cause of family restriction. And here it is difficult to exaggerate the importance of a wise distribution of state burdens. Any form of state relief which favours the reckless at the expense of the prudent will in itself have the effect of multiplying the former and diminishing the latter.

“ It has been maintained by certain witnesses that there is no sufficient reason to conclude that the recent reduction of our birth-rate has so far been inimical to the well-being of the nation. Others maintain that if a higher birth-rate or a check upon further reduction of the birth-rate be deemed

desirable, or if an improvement in the character of the birth-rate can be obtained, such reforms would be facilitated by certain social-economic changes. Those who hold this latter view are of opinion that greater security and regularity of income with adequate insurance against unemployment among all ranks of workers would be of material assistance.

"An adequate secure income would give that sense of safety and that power of provision for the future needed to secure freer play for the instinct of parenthood. The equalization of opportunities for education and for technical and professional training, conducive to a greater equalization of incomes and of standards of living, not only would weaken those motives of mingled timidity and social ambition which, especially among superior artisans and the middle classes, promote late marriages and small families. A better distribution of income is also held desirable for bringing about such improvements of the housing of the working classes as will remove the arbitrary restraints upon the size of families that exist at present.

"On the other hand, such statistical evidence as is available for establishing a comparison of the birth-rate among the different social and pecuniary grades of our population, indicates that the better-to-do classes restrict more closely the size of their families, and that even among certain of the wage-earning classes the birth-rate varies inversely with the income."

Unless all that has been taught by the progression in France and America should utterly fail in its application to Germany, to Austria, to Italy, and indeed to all the present belligerent states, we may well assume that laxity of population will be attained as a concomitant of continuous increase in (a) urban population, (b) diffusion of intellectual interest, (c) diffusion of material comfort rendering possible an appreciation of all the solicitations of modern life.

It may be said that present tendencies will be

altered. It may be imagined that men and women will turn away from the manifold activities which are daily developing interests beyond the domestic circle, and that they will again aspire, as did the ancient Hebrews, to no higher function than that of being the parents of multitudes. It may be held that since generally in the past men have multiplied, they must inevitably continue to multiply and be cursed by the Malthusian law. All things are *possible*; but surely the *probabilities* are in the other direction.

Recognizing these probabilities, can it be said that the statesmen of Europe and America are justified in making war or planning for war, in order that lands may be controlled as dwelling-places for descendants who probably will never be born? Nay, it is necessary, in order that a semblance of justification may be given to this national and selfish prudence, that such scheming of to-day must contemplate, not merely the finding of space for the unborn, but also the maintenance of political solidarity between the future stay-at-homes and the future emigrants. For the world has wide spaces for the emigrant *per se*—if not for his Government.

A third assumption must be made—namely, that the emigrants from congested European states, and the descendants of these emigrants, will desire the maintenance of political solidarity with their ancestral home. And further, this desire must be connected in some way with continued advantage. That advantage must be such as will outweigh the inconveniences of distance and the opposition of other populations with whom the emigrants may be associated in their new home. Now obviously doubt hangs over every one of these assumptions.

Ambitious dreamers, nursing old traditions and spurning present conditions, may continue to justify international wars by an appeal to the history of "swarming" in the past. But when the account is carefully made by those who recognize a solidarity of *civilization*, as well as a solidarity of *nation*, it is probable that this once revered cause of war will be denied. Consent to the settlement of international disputes by international tribunals might have been withheld with some show of reason, when men were moved by a great solicitude for the unborn of their own race. They might have asked, "Who, save ourselves, will secure places under the sun for our progeny?"

Now, however, recognizing that their numbers will probably cease to press upon the means of subsistence available in their proper home; recognizing further that the comity of nations constantly renders residence in foreign lands more and more assimilable to residence in one's native land; recognizing that if, indeed, there should be for some time to come a surplus in Europe, that surplus may find congenial dwelling-places in the temperate regions of the Americas; recognizing that every man tends to identify himself with the land and the people of his new home; recognizing that war diminishes the value of life to all who take part in it; recognizing that the poor and ignorant of the earth are as yet a proper charge upon the consciences of the more fortunate; recognizing that the material and intellectual welfare of the poor and ignorant is to be assured by peace, and is threatened by war; recognizing that friendship contributes to the happiness of all men, and that hate is their common enemy; recog-

nizing that war imposes upon the present a certain burden of woe, and upon the future a sure inheritance of hate and a very doubtful gain of material welfare ; recognizing that life furnishes a thousand zestful competitions without war, and a thousand helpful co-operations through peace ; recognizing, finally, that, in spite of the glamour of arms, the aspirations of the best men of all times have ever turned towards peace ; recognizing all these fair reasons and these sound sentiments, will not our civilization soon seek a cure for war—an evil condition which can claim no better title to continued existence than was once claimed for slavery or smallpox ?

### *Children in Asia*

We have attempted to dispel Malthusian ghosts from the calculation of those who study European and American conditions considered in their proper solidarity. It is not sufficient, however, to limit ourselves to these two continents. Old Asia is now new Asia. It is our neighbour. Nor should we too readily assume that the reasoning which links Berlin to New York, or Madrid to Buenos Ayres, will likewise link Pekin to Paris and Tokio to London. If, indeed, we recognize slow forces which must eventually produce similar conditions in like climates throughout the globe, yet we may reasonably contemplate long delay in these processes. Within the period of that delay, differences of condition may remain so marked that conclusions applicable to one civilization may be inapplicable to the other.

Russia presents a problem different in its aspect from that which is suggested either by the word Europe or by the word Asia. According to our



rough hewn geographic nomenclature, it is both Europe and Asia ; in its economical and social conditions it is neither. Happily for our present purposes, the special characteristics of its situation offer a simpler solution to our inquiries than those that are elsewhere presented. The modern forces tending to restrict population operate very weakly among the millions of the Czar's subjects. Only two considerable cities are found in this vast domain. Material and intellectual development is so slight that neither the luxury nor the intelligence of European civilization can by their temptations and by their triumphs make much headway against the instincts and the traditions of the simple peasants and villagers who outnumber any two European states. Among these simple people a high fecundity and a high infant mortality still go hand in hand. The vast areas of Siberia have recently opened an expansion ground which would not be needed if agriculture in European Russia had been lifted to the level attained elsewhere. Ignorance has caused some congestion. This could be relieved by more intelligence, without more land. While waiting for the enlightenment which must come, Siberia offers an asylum where ignorance may breed its progeny in wide spaces. Consequently there is no population problem in Russia, except that involved in moving peasant masses from old homes to new ones. Even without taking into account the alleviations furnished by scientific development, we may assume that increase of Russian population will for many years be cared for by expansion into Siberian territory. As a matter of course, however, scientific development *will* take place, and will double or triple the subsistence afforded

by any unit of land operated by the Russian agriculturist. With this aid he may continue to have children without precautions, and all will find their place in the Russian sun. When we add to these considerations the further thought that material development will bring in its train the building of great cities, and all the allurements which have heretofore been mentioned, we may safely assume that no proper war threat, based upon population pressure, can emanate from Russia. Expansion towards the south, in the Caucasus and in Russian Turkestan, has been inspired by the mere lust of power on the one hand, and by the desire to establish order along disordered frontiers on the other hand. When we find Russia participating in two European wars, we may seek the cause either in dynastic ambitions or in the reasoned desire to reach the Mediterranean unhampered by foreign domination of the Bosphorus and the Dardanelles. So far as the purposes of this chapter are concerned, it is sufficient to say that the territory now occupied in whole, or in part, by Russians will give dwelling-places to all of their descendants for so long a period that international statesmanship need not take this problem into account.

When we turn to China we are tempted at first to suppose that we are confronted by the population ghost in his most fearsome guise. Yet even here the future is not as dark as it is often painted. China has doubtless many years before it of trial and tribulation, while the ferment of modernism will be working out new governmental and economical relations. During this process the familiar forces of revolution, famine, pestilence, flood, and riot will tend to keep the population within the limits of

sustenance provided by Chinese territory. We know that in the past there have been many remarkable oscillations in the population of the Empire. These oscillations seem to have been due to the destructive agencies above mentioned. It is not probable that these agencies will be left untouched by the ameliorations of modern science, but they will at least serve to diminish that redundancy of population which might have to be feared if China could suddenly equip herself with a wise and stable government, with hygienic conditions for all her people, and with an increased productivity by her vast and industrious population. In so far as this redundancy may, for any causes, begin to press upon subsistence, relief for it may be peacefully found by expansion into Manchuria and Mongolia. Railway communications will largely facilitate such an exodus. Outside of China proper, the federated Malay States, Borneo, and Sumatra offer areas in which the Chinese may settle alongside the less efficient Malays. One may now see in the federated Malay States most inspiring examples of what the Chinese can accomplish in new lands under good government. A satisfactory feature of these migrations is found in the fact that the prosperous Chinese colonists make no demand for the extension of Chinese rule over the lands which they have caused to prosper.

In addition to the territories mentioned, it is possible that the Philippine Islands may also be opened to the magical thrift of the Chinaman. If there be fears that he will crowd out the amiable but less industrious Filipinos and Moros, those fears may be quieted by fixing limits to Chinese immigration.

Such a policy would doubtless meet the approval of the best American and Filipino sentiment.

Looking still farther afield, certain areas in Africa and in South America might be beneficially opened to those splendid and tireless adventurers who are ready to establish themselves in quiet industry wherever they can find a welcome. Happily, these wonderful people are most capable pioneers. They scatter singly, or in small groups, asking naught save the simplest elements of justice in the treatment accorded them.

If, in spite of all these possible outlets, there should still remain hungry mouths to feed, it is probable that preventive checks to birth will be undertaken on a very large scale. There seems to be little in the traditions of China, or in its present political ideals, to warrant the supposition that any Chinese Government will deliberately undertake war as a means of providing new territory for its people. Rather is it likely that the neo-Malthusian doctrines will be favoured by official and unofficial propaganda, instead of being frowned upon, as in our civilization, by nearly all organizations of vaunted respectability.

It is well known that two crude methods of checking population have acquired in China a toleration which is unknown in Europe. Infanticide and abortion, twin children of poverty (or of very great luxury), have almost obtained the recognition of legitimacy. Need we then suppose that there will be delay in the adoption of those methods of prevention of conception which have been refined in Europe and America, and which have, as compared with the harshness of infanticide and abortion, so much to recommend them? It has been thought by

some that the principles of ancestor-worship might interfere with any large conscious check upon the production of children. They have not, however, interfered with the grosser practices just mentioned. Furthermore, they are satisfied by the possession in each family of one son, whether native or adopted.

Leaving China, we may now turn our attention to the Japanese empire, including Korea and Formosa. Both of these latter territories contain large areas which may yet support new populations. The better conditions established by the Japanese in Korea will doubtless cause an increase of the native population there, which will, in considerable part, occupy the waste spaces. In Formosa, the inferior tribes are more likely to suffer the fate of our own Red Indians. They will give way to such Japanese as may desire to make gardens out of wildernesses. Japan itself will become somewhat more productive by the mere application of chemistry and mechanics to agriculture. The people also will employ their genius in manufacturing for export, and will thus again increase the population capacity of their beautiful country. The redundant population, if it exceeds this capacity, can very easily expand itself in a portion of Korea and in Manchuria, and, as already mentioned, in Formosa. Nor should it be forgotten that the territory of Japan proper is not yet completely and densely occupied. The island of Hokkaido is far behind the main southern island in density of population. Indeed, northern Hondo itself is now receiving a considerable number of emigrants from the older centres of Japanese development.

Meanwhile, the conscious and unconscious checks that go with the growth of large cities and with the

spread of intelligence are already active in old Japan. Young women are attaining an industrial and social independence which was heretofore unknown to them. Young men, entering into the keen struggle of city life, are filled with other than domestic ambitions. The young of both sexes are beginning to aspire to "standards of living" incommensurate with the incomes of young households. As a result of all these forces, the average age of marriage has been increased in Japan in the last two decades by about one year. Above all other population checks, however, there is reason to suppose that the European prevention of conception will take precedence in Japan. The steam engine, the electric dynamo, and the telephone seemed at one time to promise the possibility of an indefinite expansion in the numbers of the family. That was measurably true for the pioneer conditions of the world. Now, however, these same inventions, with all that they connote, carry with them the "one-child" or "two-children" standard into the big cities of our modern world. The Japanese consciously took over our material civilization; consciously or unconsciously they will take over its concomitants. The extraordinary lucidity and concreteness of their intellectual processes must suggest a relatively rapid movement in modern methods of population restraint, as in all else that has to do with our civilization of steel and steam.

From the review thus made of Chinese and Japanese conditions, it seems fair to assume that the yellow peril, viewed as a swarming of hungry Orientals, ready to kill, that they may live, is not a real thing, but a ghost, which vanishes when the light of fact and reason is thrown upon it.

India does not generally appear in that array of Asiatic foes which are often paraded before us by fearful students. The presence of the great English power is very properly accounted as a check upon tendencies which might otherwise give cause for alarm. Even if that control should be withdrawn, it is believed that India lacks a unity which would be required for the hurling of its great force against any distant enemy. And, again, its southern populations are known to be of such supine quality that strong men need not fear them.

In a rough way, the same setting is given, in our minds, to the population of Java. There is enough soundness in all these considerations to justify a difference of apprehension between the yellows and the browns of Asia. We feel that our civilization need fear no attack from Calcutta or Batavia. This is true. Yet so far as the mere problem of population-pressure is concerned, there is more likelihood that India and Java will themselves suffer from overpopulation than that this disaster should befall any other large areas of our globe.

European hygienic methods have been spread throughout Java and India by the excellent Dutch and English administrations respectively. Agricultural methods have been improved. Production has been increased. But, alas, the saving of children's lives has perpetuated numbers sufficient to consume the increased production of the land. Meanwhile, the birth-rate has not been diminished. Indeed, if it has changed at all, it is probable that it has increased. All these favourable conditions seem now to have reached about the maximum of their efficiency in providing for increase of population. There are now

more millions of young children than ever before lived in these two lands. In the next ten or fifteen years they will be breeding with tragic fertility. Practically no new lands remain to be occupied. Improved industrial processes cannot easily be carried beyond the big co-operative efforts connected chiefly with irrigation plants. The many millions of peasantry are less intelligent and less industrious than the corresponding population in China and Japan. In all the southern part of India and in the whole of Java, climatic conditions impose obstacles to the extension of manufacturing enterprises. In general, the assimilation of European methods cannot quickly be carried much further. Even Europeans, moreover, would find it extremely difficult to propagate our industrial system in territories crowded by nerveless masses.

The conclusion seems forced upon us that within the next decade or two, vast disturbances may arise in these congested areas. To what extent these disturbances will express themselves in violence, in revolution, we know not. Much will depend upon the wisdom and the vigour of the two European nations which have thus far given excellent account of their stewardship in those distant lands.

As to Java, it is not improbable that the Dutch Government will facilitate a movement of its surplus population into Sumatra and the Celebes, and into those restricted portions of Borneo which are fit for human habitation. Were the Javanese themselves a more energetic and venturesome people, the Government might wash its hands of the whole situation by merely pointing out the fact that vacant lands await the emigrant from Java into the other Dutch possessions near by. The typical Javanese, however, will



probably need governmental direction in this. He is not of the pioneer type. The Dutch Government may, indeed, find itself forced to play the benevolent tyrant by a sort of enforced transfer of multitudes of people from crowded Java to the less densely populated islands. It may be necessary in the latter to permit European exploitation by indentured labour. We need not dwell upon the particulars of methods then to be employed. A word of warning that such troubles may have to be met is sufficient. It is hoped that those who will criticize the Dutch and British Governments, if they are called upon to meet the grave emergency here contemplated, will endeavour to understand the difficulty of the situation before condemning attempted remedies.

The situation in India is even more difficult than that in Java. No large areas controlled by the same Government lie near at hand, as Sumatra lies to Java. There has been, in the minds of some foreseeing Britishers, the thought that Mesopotamia might be made an outlet for Indian population. The Turkish Government, on the other hand, feared the settlement, within its borders, of large numbers of subjects of a powerful Government whose favour was fickle indeed. Whether this area will, in the future, be opened by arms to Indian immigration depends upon events which are now daily in the balance. But even if British ambition in this respect were realized, the numbers which could thus be accommodated are not very large as compared with the huge total in India. Ten or fifteen millions of people would fill the Mesopotamian region quite full, and it does not seem reasonable to suppose that all of them could come from India.

There are portions of African territory under the dominion of various European powers which could advantageously receive East Indian emigrants. It is in that direction undoubtedly that a General Manager of the world would turn in his endeavour to solve the problems that will be presented by Indian population in the next twenty years. Unless the British should have the mad dream of holding sovereignty over all the East Indians, wherever they may be in the world, there need be no serious difficulty in placing a considerable surplus of East Indian population in the waste spaces of tropical and sub-tropical African territory. Furthermore, it is not at all impossible to suppose that some of the South American states might gladly welcome a limited immigration from Hindustan. Yet, withal, it seems that during the next twenty years, in both India and Java, nothing but a miracle will avert much disturbance and suffering due to imprudent breeding. But only stupidity would find in international war a cure for this probably inevitable trouble.

When the suffering shall have proceeded to some fore-ordained extent, even the ignorant populations of India and Java may be expected to adopt preventive measures for the restriction of births. In Holland systematic propaganda concerning the preventive checks has already been attempted. It seems, therefore, not improbable that, facing any serious trouble arising from over-fertility in Java, the Dutch Government may undertake an official propaganda among the simple people whom they rule. The English will, of course, be less prompt in such an innovation. They have, however, shown a new activity in social reform during the past ten or fifteen years of Liberal Govern-

ment. How much farther they, as well as other people, will be driven by the Great War to radical measures, officially undertaken, no man can know.

While we have thus reviewed the greatest Asiatic populations it remains to speak of Tibet, Afghanistan, Persia, and Turkey. No one of these countries presents any difficulty from surplus numbers. On the contrary, Turkey and Persia may receive some of the overflow from China or India.

The whole continent of Africa, from the point of view now being considered, can be disposed of in a few words. It contains some small areas of relatively dense population. In general, however, it may be said that vast territories, some of them fitted for European colonists, lie open to surplus populations from tropical and sub-tropical countries. Energy and wisdom on the part of the rulers of the world can make use of Africa to lay completely the ghost of southern Asiatic over-population.

If expansion of the native population be considered, it is obvious that these numbers may be vastly increased before any pressure can be felt from them, even within the African continent itself. Those areas which are fitted only for the native populations, and into which they may retreat, under pressure of any kind from foreign immigration, are still very vast, and, in the average, very sparsely settled. Even if we suppose that uncomfortable density shall be reached in any particular region, the troubles incident to such phenomena will wear themselves out in African territory. The people of that continent are as yet far in the rear as to intellectual vigour and organizing power. Handicapped by a native inferiority; removed by vast distances

from the centres of white and yellow population ; already controlled by powerful European states, the thirty or forty millions of blacks can in no way threaten the civilized world within such period as we can now reasonably take into account. It is probable indeed that those who dwell in the low tropical regions will, for all time, be impotent to play any such rôle as was once played by those valorous barbarians who fell upon civilized China, and by those others who were destroyed and then regenerated by the civilization of Rome and Greece. Some substance there was out of which timid souls made a yellow ghost ; but even the most timid need not be frightened by the black ghost, which vanishes even at a word.

The vast continent of South America contains probably a greater territory presently habitable for all types of man than that found in Africa. The tendency of the people who now control its destiny will be to admit European immigration freely and to limit Asiatic immigration.

Reviewing thus the whole situation, we may summarize it by stating :

*First*—Individuals of hardy and adventurous races may, for many years to come, find suitable places for immigration.

*Second*—Within the areas now occupied, or to be occupied, by the white and yellow races respectively, comfortable conditions, both political and economic, will generally be found by emigrants, irrespective of the nationality of the controlling sovereignty.

*Third*—Increases of population in the white and yellow races will probably be arrested or diminished by preventive checks, due, not to poverty, as in the

past, but to a higher appreciation of individual life, and an embarrassment in obtaining the maximum possible values of that life when encumbered by the physical and economical requirements of a numerous progeny.

*Fourth*—Internal troubles, due to over-population, may be anticipated in the next twenty years in India and Java. These troubles may to some extent be cured by transfers of the surplus population (probably under governmental control) to territories now comparatively vacant, or sparsely occupied by people who will not be violently opposed to immigration.

*Fifth*—Practically nothing will be gained to the individuals composing migrations, either white, yellow, or brown, by the forcible extension into the newly occupied territories of the political control of the Governments of their origin.

*Sixth*—If these Governments of origin seek to follow their citizens into foreign lands, and to control those lands, they will be inspired chiefly by one or both of the following motives: (a) to ensure continued favoured trade-relations with the emigrants; (b) to retain the military strength of the emigrants in behalf of the parent state.

*Seventh*—The history of all colonization by strong individuals proves that successful colonies cannot be exploited for the benefit even of their own compatriots who remain in the common home-country. Commercial independence is demanded by such colonies, even though they find advantage in retaining some political connection with the mother-country.

*Eighth*—The object of gaining military strength through political relation with colonies cannot be urged by any nation entering into an arrangement

which will terminate international wars. Massachusetts and Virginia, England and Scotland, Prussia and Bavaria, have entered into arrangements by virtue of which all disputes threatening war between them are settled by superior authority controlling centralized force, made up of elements supplied from both of the agreeing parties. Consequently, it is not necessary in any one of the combinations named, that either state should endeavour to control its citizens emigrating into the other. In like manner, if the United States, Great Britain, Germany, and other powerful nations, should set up an international organization, endowed with central force, supplied by the consenting nations, it would be unnecessary and unreasonable that any such nation should endeavour to control foreign territory occupied, in whole or in part, by its emigrating nationals, with a view to drawing from such territories military strength for wars which they have agreed not to make, and which, if undertaken, in spite of the agreement, would be suppressed by the central force.

## CHAPTER XXX

### WARS OVER DOUBTFUL TERRITORIAL BOUNDARIES OR TITLES

WE have now considered warlike aggressions by one nation against the territory of another, on the supposition that such aggression, consciously or unconsciously, openly or covertly, is motivated by a superabundant population in the aggressor's country. There have also been territorial wars—that is, wars about territorial boundaries—in the past which could not be attributed to this cause. They have arisen from that pride of possession which is a general characteristic of all of us, and also from a sense of outraged right which, merely as such, is thought worthy of protection. We may call these, in general, wars over doubtful territorial title. They have been due, in part, to meagreness of geographical knowledge, and meagreness of historical record concerning boundaries. They have also occurred, in cases when the metes and bounds were undisputed, out of rival claims to title as such.

Let us glance first at the state of the world, and the probabilities of war, as affected by hazy geographical knowledge. The last hundred years have cleared away nearly all the clouds of ignorance that once hung over the sparsely settled portions of our globe.

Engineer and astronomer have gone out into all the waste places. They have mapped mountain, forest, and stream. Small portions of South America and Africa, and a somewhat larger portion of New Guinea, still offer a few geographic problems over which hotheaded and foolish persons might make war. Happily, the interests affected by these remaining incertitudes are relatively unimportant. We need not fear that any two great and civilized nations will again draw near to war by reason of such a puzzle as was presented by the American slogan, "Fifty-four-forty, or fight!" The early delimitation treaties which parcelled out America, dealt with more unknown quantities than those that entered into the Berlin treaties for the partition of Africa. The imaginations of ambitious men can no longer take mountains from the moon and waterways from Mars in order to fill out the blank spaces of the map. If we are yet to fight over boundaries, the boundaries themselves will be known quantities, and we shall be fighting over a claim, in itself vague and indefinite, but referring to landmarks removed from doubt. The Venezuelan swamps bred a distemper, probably the last of its kind. If anything of importance now remains to be done in making faithful pictures of the face of our earth, we may sleep soundly, knowing that adventurous men are still eagerly threading unfamiliar passes and forbidding forests. They will leave no *terra incognita* over which statesmanship can pick a quarrel—unless, indeed, the quarrel has already been determined upon for other reasons. Angry dogs may fight over a bone, though it be never so dry and clean.

Turning to the matter of titles that are themselves



in dispute (the corpus of the quarrel being itself *not* in dispute), we come first upon a whole class of controversies which belong peculiarly to the feudal state of society. When sovereignty was a property, when political control was an inheritance, and when title-deeds were not plainly registered, every marriage and every death, every legitimate and every illegitimate birth, in certain reigning families, was pregnant with the possibilities of war. It would be wearisome and unprofitable to go over the long recital of European and Asiatic bloodshed which grew from this fruitful cause.

Nor were these tragic contests restricted by dynastic ambitions. Republics and self-governing city states, yea, even dignitaries of the Church, have written their titles to dominion with the point of the sword. We who are determinists know that it could not then have been otherwise ; but we rejoice that, save among rude races, it is now otherwise.

## CHAPTER XXXI

### EXISTING CAUSES OF WAR

STRATEGICAL territory wars, prudential wars of preparedness, neutral right wars, belligerent right wars, reprisal wars,—we have seen that all these are parasitical in character. They are wars that will “inevitably” cease when nations cease to fight about other things. And they will “inevitably” continue as long as war continues to be the Great Court of Nations.

Wars of brutal conquest, religious wars, dynastic wars, uncertain boundary wars, feudal wars,—here is a notable list of past “inevitabilities” which have ceased to be efficient causes of bloodshed among men.

“Surplus population” stands midway between the dead and the living causes of strife. We have seen that a calculation of probabilities indicates the obsolescence of this once fruitful motive of aggression, and that in so far as the mere support of the redundant unborn is concerned, only stupidity would suggest the usefulness of war.

When we reflect upon the vast mass of human suffering caused by these dead primaries and these mere secondaries among warlike motives, is there not cause to view optimistically the possibilities of con-

trolling by judgement and by organization those remaining motives which still, in an unorganized world, lead men to mutual slaughter? Let the inquiry be taken up without scepticism and without cynicism. Let us try to analyse the things that lead modern and enlightened nations to war. Let us inquire whether, in their very nature, they are susceptible of determination, by reason of their definiteness, if submitted to a world-surveying tribunal.

A rough classification, helpful in directing the discussion, will place the existing causes of international disputes (other than the parasite class) in some such categories as the following :

*First*—To obtain or retain trade or industrial privileges equal to or greater than those enjoyed by others.

*Second*—To obtain or retain rights of immigration and citizenship in a foreign country.

*Third*—(a) To aid rebellion or discontent in another state because of sympathy or other strong interest in the rebellious subjects ; and, (b) conversely, to prevent the giving of such aid.

*Fourth*—To quell in another state continual plotting or disorder threatening ruin to foreign interests, commercial or political.

*Fifth*—To fulfil an engagement of alliance with another nation without having direct interest in the quarrel of the ally with a third nation. This is a secondary motive, the alliance itself being based upon supposed community of interest in respect to some of the substantial grounds of international dispute. This subject does not, therefore, require separate treatment.

*Sixth*—To divert popular attention from internal troubles.

*Seventh*—To gratify the love of power, found usually in the upper classes, and an inculcated national pride that may extend through the whole population.

*Eighth*—To avenge some réál or supposed attack upon national honour.

Commercial wars have bulked so largely in modern history that some writers have been tempted to make them include all international wars. Such a generalization, however, seems too broad, and certainly clarity of thought will be served by following a classification such as that given above. In this method we shall gain at least the advantage of recognizing more definitely whether or not future disputes are likely to be such as could be intelligently passed upon by a central tribunal.

### *Disputes concerning Trade Privileges*

This term is used in a broad sense to cover all those forms of protection by virtue of which the trade relations between citizens of different countries are distinguished from those which exist between citizens of the same country. It is obvious that in a world of free trade, the individual does not require assistance from his Government in the conduct of his business in well-ordered communities; happily the world is moving toward free trade.

An extraordinary simplification in the relations of states follows immediately upon the establishment of free commerce between them. By reason of the fetich which makes of a foreigner something of an enemy, the people of the United States—at least a majority of them—have for many years been ardent protectionists. Within the limits of their own

country, great areas are widely separated geographically, and present very wide diversities as to climate and soil. Whatever virtue may reside in the protectionist principle would have found abundant application between various sections of the country, and would have been of mutual benefit to those sections. Arizona and Sonora (in Mexico) stand in the same relation, so far as natural conditions are concerned, toward Massachusetts. The Province of Quebec and the state of Maine, so far as natural conditions are concerned, stand in the same relation to Mississippi. Yet Massachusetts and Mississippi have suffered or enjoyed "protection" from Sonora and Quebec, while neither desires to be protected against the other. The freedom of intercourse established and maintained within national borders is felt to be a precious fruit of national organization. If Sonora and Quebec should be politically incorporated into the United States, automatically the area of freedom would be extended and men would rejoice in that extension. With magnificent carelessness of logic, the blessings of protection against Chihuahua and Ontario would continue to be proclaimed in Washington.

Portions of Italian and Germanic territory recently brought into political union, in 1859 and 1871 respectively, now rejoice in a new patriotism, founded upon freedom of intercourse. We need only retrace our steps a little farther to find the same growth of fraternal feeling, due to political and commercial unity, in England, France, and Spain. Foreigners seeing the people of the countries just named, are now generally impressed with the solidarity of these three great nations. Yet we should not forget that they

are made up of once discordant provinces and kingdoms. They fought each other with arms and with tariffs. Finally, they outlived the "Great Illusion" concerning the efficacy of both of these activities. They yielded up various fractions of their sovereignty to central control, and they permitted a bushel of wheat to go unchallenged from boundary to boundary of enlarged states. For a long time after these great accomplishments, religion on the one hand, and political caste on the other, occasionally inflamed citizen against citizen. Commercial freedom, however, destroyed the animus of territorial wars, and when religious and class liberties had been conquered, the fine thing called a nation was eventually shaped.

Contemplation of all the benefits flowing from free trade has created a convinced school of men in all countries who will never cease to seek extensions of this principle. Some adherents of this school will even grant the possibility of material advantage in the protective system, as flowing to a part or the whole of this or that particular state. Yet so highly do they prize the indirect effects of trade-liberty, that they would gladly sacrifice the possible direct provincial gain to the larger advantage which untrammelled commerce will bring to all.

The study of these advantages is seductive to those who have carefully weighed the costs of the war system against the secured prosperities of an international peace system. To yield to that seduction, however, and to premise international peace upon general international free trade, is to remit the whole matter to the Greek Kalends. A more practical effort will consist in determining whether or not complete and world-wide freedom of commerce is a

*sine qua non* of a world-wide peace-keeping organization. And in this inquiry, as in other branches of our task, we may first turn to the experiences of those groups which have united to form nations. As bearing upon the practicability of *centralized peace-keeping mechanisms*, it is important to observe that they have been successfully operated, in spite of the existence of certain trade restrictions within national boundaries.

Governmental privilege even now continues to run to classes or groups not territorially defined, but set apart from each other by legal or traditional boundaries, which operate to some extent even as international tariffs operate. Yet in spite of these corporate divisions of interest, it has been found practicable to submit all such groups to one national control. In the United States, examples have not been wanting of a sort of state protective system imposed through health laws for man and beast, and through the partial determination of inter-state railway charges by state agencies. These efforts have been rather sporadic, and their intended effects have often been curbed by the rigorous application of constitutional limitations upon state legislation. Therefore there is but little of true territorial trade restriction to be found within the whole national area. Members of the German Union have shown similar tendencies toward separatism. Both of these great federations have prospered in political unity while tolerating reminiscent movements toward local protectionism.

Perhaps the most remarkable example of tariff walls separating provinces of the same political union is to be found in China. That country illustrates at once a high degree of centralization in some respects

and a remarkable dispersion of power in other respects. Vexatious commercial obstacles are met at every provincial boundary. In addition to these, minor territorial divisions, such as cities and their suburban districts, are likewise empowered to impede the free movement of trade. Until recent reforms were effected, the irregularities of dishonesty and inefficiency in public service added to the confusion produced by provincial autonomy. In spite of these sources of irritation, China remains to-day the oldest and largest organized civil body in the world. Barbarian invasions, dynastic corruptions, madness of famine, religious fanaticism (since the Mohammedan era), and, latterly, European aggressions,—all these causes have conspired from time to time to produce internal wars. Action in these wars was often conformed to provincial boundaries. Yet it cannot be said that territorial commercial independence has in and of itself produced any considerable number of inter-provincial wars.

In the octroi system of France and Spain we see examples of tariff walls narrowed to the mere circle of the city. It is true that these municipal duties are not intended to serve the purposes of a national protective system. Yet to some extent their operation does result in injury to the merchants and manufacturers of sister cities. Quite independently, also, of the actual benefits or inquiries, as these would be measured by tariff tinkerers, the octroi system undoubtedly handicaps the free movement of trade, and produces local irritations which are peculiarly galling to the modern expansive spirit. They doubtless do something to weaken the bonds of solidarity which stretch throughout the national territory. Yet,



withal, the central power maintains a tranquillity that is not substantially disturbed by these antiquated trade handicaps.

Turning from groups held together by some territorial limitation, and observing the individuals who constitute the state, we find that each one of them habitually exercises, with respect to his business matters, a freedom as great as that which the nation professes in its meddling with the collective commerce of its whole people. Any private landholder may erect around himself a true Chinese wall of non-intercourse. Practically he does not do so because it does not pay him. Modern subdivision of production and facility of transportation take away all incentive to such separatism. Yet in various agricultural regions throughout the civilized world there are approximations to such individual independence. Every owner of property, whether movable or immovable, may refuse to sell his goods to one man, and yield them to another. He may buy exclusively from Smith, and leave the struggling Jones to fall into bankruptcy. In general, he may apply to his traffic with others such conditions as to him seem right and proper.

This is a general statement of the case, and the definitions of property, whether traditional or statutory, would practically conform to this general statement. The central power of the state ordinarily does not concern itself as to the wisdom or folly of its citizens in the conduct of their private affairs.

We find, however, that no right, whether of property or of life, is in fact secure against the exercise by the sovereign of the supreme right to take both life and property of the individual for something that

is presumed to be the public good. In vain have the large landowners, whether in England or Mexico, declared that their sacred rights were being invaded. In vain has the absent landlord declared that the fundamental obligations of Government toward him were being violated. The fact is, when any rule of conduct is judged by large numbers of people to be inimical to their interests, they will modify it at the expense of those who may have profited by it to a degree or in a manner deemed inimical to the general interest.

It is thus necessary to point out, first, the practical working of various schemes of independence, whether territorial or individual, and next that central power will, in the end, adjust these independent activities to larger social ends. These adjustments are sometimes on a very great scale, accompanied perhaps by violence, and are then called revolutions.

The lesson to be learned in its application to internationalism is this,—that, in the making of a nation, men have not waited to set up perfect and frictionless commercial methods between the groups and individuals composing them. Central power has been established, and has maintained a large measure of tranquillity while there yet remained within the field of its exercise inequalities, privileges, servitudes, and rights, all of which have been in a constant state of flux. Every state, in its internal operation, has had to deal with interests far more vital to the happiness of its people than any of those which now are presented in the contests of nations, acting as such, in their relations to each other. Obviously this statement is not intended to cover the case which arises when war has actually begun. If there be an

attack upon the independence or upon the prosperity of one people by another people coming, arms in hand, the question presented is indeed vital. What is meant, however, is this,—*that no nation can benefit its people by making war over any issue which is not now susceptible to investigation and reasonable determination by an impartial tribunal.* This has not been the case in the slow upbuilding of the relative rights and duties of individuals within the state. Constant experiment and constant doubt have surrounded, and still surround, the determinations of most of the private relationships that have to do in the most intimate way with the happiness of the people. The existence of almost continued war in the early periods of civilization required a military organization of society which was inconsistent with the development of popular rights and popular prosperity. The pretensions of the warrior were not empty. They rested upon the basis of continual danger. These pretensions, however, did not yield to decreased danger as rapidly as was demanded by that body of workers which must for ever continue, not only as the foundation, but as the very substance, of the state.

In the same periods of confusion which gave the soldier his power, the priest also came forward with claims of sovereignty in the moral realm. Ignorant men conceded to him an authority which the one-eyed man enjoys in the kingdom of the blind. He even served as a check upon the growing tyranny of the war-lords. It was arrogance against arrogance. In such dark turmoil the priest performed a useful function. But his power grew with that upon which it fed. As general intelligence increased, the need

of his well-meant espionage diminished ; not realizing the change, he lagged behind the essential merits of the situation and produced conflicts of the most dreadful kind. Stumbling at every step, never sure where the light really led, men have sought compromises with prince and with priest. In this seeking, how often has To-day been made tragic in adjusting itself to the traditions of Yesterday and the hopes of To-morrow !

And now, when in many lands prince and priest and people have ceased from their mutual strife, we behold the body of the nation divided into factions, while it undertakes the settlement of complex questions presented by Capital and Labour. Those who dreamed that free and representative institutions would be a panacea for civil discord now find a never-ending series of conflicts for which no accepted formulæ can be found.

It is to be particularly noted that the establishment of central nationalized judgement and control does not bring this clamour to an end. Competitions between individuals and classes continue to present new phases for the legislator. The vital interests affected so intimately by statute and by decree continue to put a strain upon the oldest and firmest of governmental establishments. It is not always possible for these tried institutions to maintain domestic tranquillity, which is the very objective of their existence. And yet—they are the ark of our salvation !

## CHAPTER XXXII

### PROTECTIVE TARIFFS HINT OF WAR

As compared with the vast problems of domestic policy, it will be seen that international relations become relatively simple if we suppose that a judgment seat has been erected, and a curb put upon the nations to restrain them from coming to blows. It has already been pointed out that the very system of independent, national war-making is itself the cause of wars over neutral rights and wars for strategic advantage. These are children whose maternity is not in doubt. It may also be pointed out that certain commercial practices tending to produce international quarrels are themselves, in considerable part, due to the war system, hanging as a menace over all nations at all times. There are forms of protection which are parasitical upon the body of War. Or, if we cannot strictly say that these forms depend *wholly* upon war, we may certainly indicate four lines of argument, urged in favour of commercial separatism, all of which would simply *cease to exist* if international disputes were determined by tribunals, and if the nations were prohibited from carrying arms for mutual destruction.

The first of these arguments rests upon the fatal facility offered by customs duties for the collection of

large sums to be expended for military "preparedness." It would be foreign to the purpose of this treatise to discuss at length the relative merits of various methods of raising governmental funds. It is sufficient to point out the views which are held concerning these matters, and the effects of these views. Thus, in respect to the obtainment of money for armaments, it has been urged that, not only can their cost be quickly and conveniently collected at the Customs House, but that "the foreigner pays the tax." The protective system, in the minds of the zealots urging this theory, seems a beautiful mechanism by which a possible enemy is made to fill the war chest which shall be used against him. The theory is a captivating one, and has been advocated in nearly all countries by many grave and reverend seigniors.

Their financial preparations for war, directed against any possible enemy, become also financial irritations *tending* to produce enemies wherever we buy goods.

The second solicitation in the same direction arises when a war has already been waged, and has left behind it the usual burden of debt, and pensions. There is a sudden and tremendous increase in the annual expenditures of Government. Again, the simplicity of Custom House collections is emphasized. Again the foreigner is to be squeezed. The levy against him is not necessarily to be made by way of reprisal; the debt which he is to pay may be due to internal revolution rather than external war. In his general character as a disagreeable, perhaps dangerous, person, we must, if we can, have him pay our old soldiers' pensions and as much as possible

of all other expenses. It is familiar history that this argument was very effectively used in the United States after the close of the great Civil War.

Generally speaking, we may say that in so far as protective duties may be laid for the purpose of meeting *unusual national* expenditures, such duties result from war. National debts of great magnitude are caused almost solely by conflicts of arms. It is true that, occasionally, Governments undertake large works and raise considerable sums for their construction, as in canals or railways. These, however, generally provide, in whole or in part, all the funds necessary to meet interest charges, and eventually may fairly be supposed to have a value at least approximating to the cost. Hence it is not far from exact to say that large uncovered national debts are *war debts*. It is in this sense that we may consider any taxation laid to meet national interest charges as taxation growing out of war. If that taxation be, as is so often the case, of a kind which seriously affects foreign interests, we see the vicious circle in operation: war producing debts, debts producing inimical tariffs, tariffs tending to produce more war.

A third incitement to the establishment of international commerce-barriers is found in the mere passion left in the breasts of men after long and destructive wars. By courtesy only may its suggestions be called arguments. Often enough they are mere blind and self-injurious expressions of hate. We may condemn human folly in this ugly form, yet we must recognize it as effective; we must take into account the sentiment which urges non-intercourse with those whom we have been taught to curse. It would be pleasant to believe that responsible states-

men, determining war and peace for millions of their humble fellow-citizens, are always moved by cool judgements, purged of popular prejudice. Such characters do indeed occasionally appear — monumental types in the history of the race. But, in the main, Senates and Cabinets are composed of men subject to the foibles and the passions of those whom they send to the battlefield. And if, at times, politicians feign an ardent animosity in order to awaken the masses to martial fury, yet their very success will, by contagion, fill their own minds with disturbing passion.

The rude attacks of war cannot remain impersonal in their effects. He who has lost son or brother or fortune is driven to hate the foe that has stricken him. Princes, presidents, ministers, and senators blunder and rave in anger with the common men and women whose fates they direct. And so it befalls that when war has sown hatred in men's hearts, prudent policy is not left alone to shape the councils of nations just re-entering into peace. The pen of the legislator is then dipped in folly to write edicts which shall breed yet other wars to come.

A fourth plea in favour of national commercial separatism will be admitted, even by many free traders, just as long as international war may continue to threaten the continuity of international trade. We must strive to be self-contained economic units if we are subject to sudden isolations—sudden interruptions of vital exchanges. The normal movement of commerce among intelligent men is relatively indifferent to national boundaries. Consequently, in the piping times of peace, we see an immense extension of international trade. Forgetting that they are



potential enemies, keen and adventurous men find each other out from the ends of the earth. Self-seeking though they be, their interaction in trade becomes one of the most beneficent forces tending to the spread of civilization and the elimination of ignorant prejudices. Unexpectedly, a chilling rumour of war thrills round the world. Our courageous merchant sees his ships destroyed, his goods confiscated. He contrasts the ruin that befalls him with the relative prosperity of his timorous neighbours who have never looked beyond their native borders. He learns that foreign trade—free trade—is perilous business. He then seeks the shelter of tariff walls and a home market—unless, perchance, his Government so dominates the seas with war-ships that no enemy can close against him more than a small fraction of the exterior markets. But only one nation at a time can dominate the seas. Others must play inferior rôles—others must learn to look inward, not outward, for permanent trade. As each little barony strove to be a complete economic unit when baron fought baron across the dividing hedges of their estates, so now must great nations, to some extent, follow the same savage plan. Particularly necessary was it that each fighting tribe should, if possible, produce its own spears and shields and bows and arrows. It is not wise to let your neighbour specialize in these products while you neglect their manufacture, if at any moment you and your neighbour are to endeavour mutual destruction.

The war material of to-day consists of steel, copper, nitrates and various chemical compounds, all cunningly wrought together by the highest arts known to man. The production of the raw materials from

which they are made, and the final fashioning of ships and guns, are all intimately related with the corresponding processes required by peaceful industry. The argument of the war protectionist is therefore straight and strong. We must have great metal and chemical plants in order that we may independently produce the necessary implements of destruction for international war. These plants can be the more efficaciously and economically created if they grow out of, and form a part of, a national industrial system which deals with the same materials.

Moreover, this reasoning can go farther. It can demand that necessities and comforts of daily life, even though not nearly related in character to military materials, shall likewise be made secure against the occasion of war. We are led to establish, at whatever cost, national producing agencies for all the principal commodities entering into modern life. And if this cannot be done because of some limitation of Nature, we are led to the more extravagant preparations of military material so that we may at least keep the seas open as a highway leading to so many fields that we may confidently assume that some of them, at least, will be open to us during the stress of war.

Such is the familiar case of Great Britain. The great English people, for reasons good unto themselves, led the way toward free trade. When the word "protection" came, in other lands, to have its special economic *misuse*, it could still in Great Britain stand in its old sense, and be understood as synonymous with the function of the British Fleet. But the very special position in which Great Britain placed her industries a hundred years ago has now been

seriously modified. Before the outbreak of the present war there arose in Great Britain a powerful political party declaring for "protection" in its modern conventional sense. In their new enthusiasm for a cause that seemed to have been lost in England sixty years ago, the English Neo-Protectionists were largely led by special consideration of military requirements. In America and in France, the straight protectionist, as we may call him, was much more influential than in Great Britain or Germany. We shall not find it necessary in these pages to marshal the purely economic arguments of Free Trade *versus* Protection. We are now concerned only to point out that the military situation of the world gives a powerful support to those who urge national commercial separatism. Indeed, it is probable that most adherents of free trade would much more willingly undertake a tilt against purely economic "protection" theories, than against those harsh facts which are forced upon our attention by the ever-recurrent threat of international war.

It seems an irony of fate that the very fleet which is maintained chiefly "to assure free communications throughout the world" must tend to discourage the extension of international commerce, while it must, at the same time, tend to encourage the construction of war-fleets by other powers as they wax strong.

No nation will venture to put itself largely—that is, vitally—in sea-borne international trade when its commerce can live only by the grace of another, and that other a competitive trading nation. The judge and the policeman who settle our disputes should not be our rivals in huckstering. In every aspect of our subject the same vice is seen—men

striving toward normal and beneficial relations with each other, while, as Governments, we ever threaten each other and refuse to set up a judge over us.

Even the most peaceful nation, the most neutral, yea, even the most non-resistant people, must take these disturbing facts into account. There is not the least likelihood that Switzerland will make war against any of her neighbours. Switzerland has no seaports, and yet she suffers to-day most seriously from the blockade enforced by one set of belligerents against another. Her case, however, is far less aggravated than usually befalls a neutral whose commerce has been widely extended. It is sufficient to recognize the fact that the harmful action of belligerents cannot be restricted to their own population. While a year may produce some special and temporary benefit to a particular neutral, yet it must be recognized that in general the whole world's commerce is injured by any considerable international strife.

All nations, therefore, are under some pressure to establish themselves as independent industrial units. If there be variation from this general tendency, it may be seen in commercial alliances having a militant aspect. While these lines are being written, endeavour is being made in Paris, by representatives of the allied Governments, to perpetuate, after the termination of cannon hostilities, a certain degree of commercial hostility directed against the Central Empires. Doubtless the detail of this proposed arrangement will be found extremely difficult. Whatever may become of the effort, it emphasizes, rather than weakens, the general feeling among men that individual commercial efforts and governmental commercial control must be determined with respect to

the existence of *war as a system of world conduct*. It reveals the incestuous relation between international violence and national separatism. Each is at once child and parent of the other in their successive manifestations. The former must be eradicated, as far as possible, by eradicating its causes rooted in the latter. And for what remains, we must subject it to centralized force. Otherwise it will grow again, and again spawn seed in a hundred forms of trade restriction.

## CHAPTER XXXIII

### COAL AND IRON

THE discussion of war-bred commercial separatism would not be complete without reference to the dominating importance of coal and iron supplies in the manufacture of war materials and of the myriad implements of peaceful industry. If the territory of any one nation contained all the iron and coal deposits known to men, that nation would be confronted by two alternatives. It would either find itself required to leave its mineral supplies accessible to all populous nations on substantially equal terms, or it would be constantly subject to attack by badly armed, but desperate, myrmidons of men fighting for two great necessities of modern existence. Indeed, so controlling would be the forces thus set in motion by concentration of mineral supplies, that a centralized peace-keeping establishment would appear as the necessary regulator of those crude materials which are the true sinews both of peace and war. This centralized establishment might indeed be the power of one nation, imposed upon the rest of the world, or it might be the federalized power of all nations, equitably sharing in that which all require.

When England developed iron and coal resources superior to those elsewhere known, and while her

territory was guarded by the sea, she *approximated* to that dominion which would be inevitably connected with a perfect monopoly of these basic materials. Vast deposits of coal and iron, advantageously related to each other, are now richly worked in other lands. Great Britain can no longer rule the earth with a wand of iron. King Coal is also confronted with rivals. Petroleum and hydro-electric power dispute his sway. The prospector and the engineer, incessant throughout the world, are ever working toward the equalization of opportunity and the downfall of privilege. It still remains in our day, however, that political frontiers do not give mineral independence to all nations. In a world of ungoverned national sovereignties resting upon war as a system, it follows, as night follows the day, that marked inequalities in mineral resources will *tend* to produce war between nations.

In another chapter it is pointed out that concentrated and limited supplies of food would necessarily bring to blows individuals or groups confronted by starvation. If the spectre of famine can be removed only by possession of the visible, concentrated, and limited supplies, and if no compelling force exists to regulate a distribution of them, violence will undertake to rule the case. In our complicated civilization, machinery and implements are required for the production and distribution of the food for millions of city-dwellers. The raw materials for such machinery and implements cannot, therefore, be monopolized by any one group without reproducing the acute situations which make men fight. The total mass of all minerals available in the world is indeed so great that abundance for all is offered by

Nature. The distribution of these materials, however, is remarkably unequal throughout the globe, and has been determined by forces that took no account of national or racial territories. If national boundaries are to handicap seriously the distribution of any of the limited fundamentals of our material civilization, such boundaries must become frontiers of war. Men of the present day—the iron age—will not permit their existence or their reasonable comfort to be jeopardized by the accidents of political distributions in the past. Then a people's welfare could be assured by the possession of agricultural and non-mineralized lands. To-day we *must* have metals, and coal or oil for fuels. If we add to this vital consideration the fact that the same materials which fashion the plough must also enter into the war-ship and the thundering cannon, we see the powerful reasons leading men to desperate adventure against any political system which would deprive them of iron, copper, and fuel. In contemplating this grave situation the student is inevitably driven to seek a political organization for the world which will make the cannon unnecessary, and which will leave material for the plough to be transported from the mine to the field, unhampered by the dictates of jealous, selfish, and ignorant groupings of men.

An international tribunal, armed to enforce its decrees; rival groups disarmed for international war, and weak against the central power,—such is the mechanism which would render unnecessary any contest for the materials entering into the dreadnought, the submarine, and the 16-inch shell. Having removed this compelling force, which makes one group tend to deny its natural resources to



another, we have to reckon only with national selfishness expressing itself in economic formulae.

We human beings, the best of us, are condemned to be rather a stodgy lot; and the great possibilities of error which lie within us seem to be developed in the maximum when we act *en masse*. The full gamut of economic folly seems to have been run in the pursuit of special privilege, under one form or another, throughout the history of our race.

The query may then arise as to whether all Governments, even those classed as civilized or enlightened, will follow the kindly light of reason in dealing with this subject. Let us suppose an International Tribunal to be established. Let us suppose the nation to be disarmed, but to be left sovereign in control of its own resources. Are we safe in assuming that selfishness and ignorance may not dictate a refusal to some of its neighbours of materials essential to their well-being? While there is, happily, no monopoly in the hands of any one Government of the great agricultural or mineral products, geographical relationships are such that it becomes of the first importance for nation A to receive particular materials from nation B. If we then strike down the arms of both and yet leave complete sovereignty within national boundaries, what shall be done if nation B, in utter disregard of the needs of nation A, shall refuse its products there, while selling them freely elsewhere? Shall nation B be condemned to relative poverty because of this exercise of sovereign rights by its neighbour?

The answer is found in contemplating a parallel case between the citizens of a single state. If Smith

has his garnerers full of wheat, while all around him is famine, he may, according to the strict letter of the law, hold his grain to be rotted or eaten by rats. We know, however, that in the practice of life the sacred theory of Smith's right to hold his grain would yield to a yet more sacred theory which prescribes that men shall not be permitted to starve while food is within their reach, and is denied to them only by prescription of law. The structure of private right, by virtue of which Smith is permitted, in the usual circumstances of life, to call the garnered grain his own, is indeed a splendid structure not likely to be attacked. Yet this cunning artifice of men will be laid low before the imperious demands of *life*. Nor will the destruction of the edifice require the downfall of the form and substance of government which is the foundation of civilization. A sovereign legislature or an imperious judge will take the difficult case in hand and prescribe distribution in the name of law. The invasion of Smith's right will be recognized as a somewhat perilous proceeding. Its exceptional character will be emphasized in all possible ways. That authority which has been pledged to protect private property will determine that excessive selfishness working to the destruction of the people has, by its own action, destroyed the foundation of Smith's title. And if, unhappily, authority should too long hesitate to find a way for its own conservation and the conservation of the people, then the starving multitude will administer its own law, and the distribution will be effected. Nor will any punishment follow the self-preserving act of large bodies of men in despair.

Such is, and has been, the way of meeting tragedies

that are threatened through abuse of private right. Such will be, and must be, the way of preserving the life and tranquillity of nations, which may be threatened not only by violence, but also by selfish, and equally destructive, commercial wars.

## CHAPTER XXXIV

### COMMERCIAL MARINE

RIVALRY for overseas carrying trade has been a breeder of war. We have so managed our affairs that a ship is not merely a ship—not merely a great floating wagon; it is an emblem of sensitive sovereignty; it is a menaced property; it is a vehicle whose service may be withdrawn in a critical moment from those who vitally depend upon it.

In our time the problem seems to have grown in gravity. Yet it is not altogether new. A very early act of the English Parliament, passed in 1381, provides “that no subject of the King should ship any merchandise outward or homeward save in ships of the King’s allegiance, on penalty of forfeiture of vessel and cargo.” A little later the severity of this enactment was diminished by a provision that “English merchants might ship their goods in foreign vessels, if in a foreign port they could not find the required English tonnage.” Even with this amelioration, the statute of 1381 was found to be oppressive upon the shippers, who were forced to pay excessive rates while restricted substantially to English bottoms. Endeavour was made in 1390 to meet this difficulty by providing “that the merchants of England should export their merchandise in English vessels only,”

and the owners were desired to carry them for reasonable freights. We may presume that the word "desired" was in fact intended to have the force of the word "required." To what extent this highly protective system may have been enforced or avoided we do not know with accuracy. We find, however, that in 1558 an Act of Parliament reads as follows: "That since the making of these statutes other sovereign princes have made like penal laws, by reason whereof there hath grown great displeasure between the foreign princes and the Kings of this realm; and also the merchants have been sore grieved and endamaged."

We see, therefore, that the endeavour to establish a national monopoly of high-sea trade produced its usual result in international friction. Jealousy of English shipping success cannot in our day justly be ascribed to such statutes as those which produced the "great displeasure" of foreign princes. The misfortune in war of other nations (notably the Dutch and the Americans) have indeed served the purpose of Great Britain in this matter. But her huge tonnage is due more to the hardy genius of her people than to governmental fostering, or to the misfortunes of others.

Previous to the Civil War period, and running back to the decline of Dutch activity, the United States had been the chief rival of Great Britain in the maritime field. It was a rivalry peculiarly free from political complications.<sup>1</sup> The Americans were not

<sup>1</sup> The vast construction of merchant ships by the United States Government during the War is an event of the first importance. Its portentous influence upon international politics cannot be measured until the methods of operation of a great state-owned fleet shall have been determined.

large exporters, save of raw materials, not in competition with English products. Their foreign policy was not aggressive—nay, it was a policy of isolation. Consequently, for something like a hundred years the question of port privileges, and generally of navigation rights, was not one that could produce keen strife between the nations.

This situation has been markedly changed within the last twenty or twenty-five years. Within that period Germany has made a magnificent development of commercial marine; the Scandinavian peninsula has enlarged its shipping; French navigation, although resting in part upon erroneous principles of state interference, has shown signs of new life.

More surprising than any of these movements was the sudden appearance of Japan, not only as a great military power, but as one evidently determined that her commercial flag should be seen throughout the world, floating by the side of her Admiralty's pennant. The United States still lagged in the rear, but, on the other hand, its exportations became relatively large, and competitive in character with those of European countries. Coincident with this expansion came the acquisition of the Philippines, the construction of the Panama Canal, and a general awakening, with the suggestion given to the world that the space between Boston Harbour and the Golden Gate was not large enough for the enterprise and the ambition of the great Republic. Statesmen and journalists were everywhere engaged in studying the maps, that they might find coaling-stations, oil-supply stations, harbours of refuge. Nor was the search confined to those situations which might benefit the peaceful, though competitive, commerce of the trading nations.

Naval stations loomed large in the prudent plans of those who remembered that international law still protects national pillage on the sea.

All the eager competitors recognized, as they had scarce recognized before, that "Britannia rules the waves" with a double power. Not only did her trading ships crowd every port, but her war-ships rested securely in a hundred naval bases scattered throughout the world. It was evident that the budding hopes of the younger commercial navies might at any time be blasted by the hot breath of British cannon, whether roaring from the deck of the dreadnought or from sequestered emplacements along the shores of every continent. Confessing the power of the trident, France retreated before it in remote Fashoda; Europe condemned, but acquiesced in, the subjugation of the Boer republics; unready China left defenceless her vassal on the high plateau of Tibet; Russia compromised concerning her Persian pretensions. But straight through these years of doubt grew the new power of Germany, strong in her own land with the strength of industry and aggressive upon the sea. There, her commerce and her cannon moved in parallel lines to dispute Great Britain's age-long mastership of the watery world.

Out of all this came new fears, new alignments. The pride of isolated might yielded to what seemed to be the wisdom of temporary alliances. France smothered the memories of Fashoda, and ended almost a thousand years of enmities. She was rewarded by a free hand in Morocco, and by the now fully redeemed pledge of help in any contest with Germany. Russia also smothered the memory of at least a hundred years of opposition to her every plan of southward

extension. In Morocco, in Turkey, and in the Balkans, the restraining power of England's diplomacy, based on England's fleet, was felt by Germany's ravenous ambition. And so the storm burst. The lesson we are here to learn from it is this : that so long as war may threaten the trading ship of an enemy, and cripple the usefulness even of neutral shipping, so long must every nation view with deep concern the preponderance of any other nation, not only in war-ships, but also in the world's carrying trade. Measured by the fear of injury in time of war, the success of a rival people as water-carriers must be equally invidious whether that success be founded upon the industry and intelligence of private citizens or upon a system of governmental ownership. So now we see nations striving to do the impossible. Each one endeavours to have its flag over enough tonnage to do at least its own carrying trade. The proposition is of course childish, since all international trade belongs partly to the one, and partly to the other, of the two traders. Our exports are the imports of our neighbours ; their exports are our imports. Yet this simple absurdity expresses itself in "slogans" which inspire political campaigns and blow upon the embers of international jealousies.



## CHAPTER XXXV

### COLONIAL TRADE

IN discussing artificial trade restraints as sources of international hostility, we have heretofore considered the subject as it was presented between nations of stable and civilized government. We have found that the war-system itself tends to buttress the theories of national industrial separatism. And we have also seen that by reason of unequal mineral distribution with respect to national territories, the same war-system may lead to *enforcing* free trade on the one hand, or to *conquest* of mineral lands on the other. Aside from these disturbing causes, which would fail if the war-system were abolished, civilized nations have reached an unformulated *entente* which recognizes the freedom in each to experiment as it chooses with various economic theories.

The wide disparity and variability of international trade policies appear when we contrast Great Britain and the United States in 1912. The former, after years of enlightened free trade, scarcely challenged by any considerable party, saw the growth of a great organization which demanded tariff at home, *and in all the oversea possessions*. The latter, after years of extremest protection, always challenged but always triumphant, saw the rise to power of a party definitely

pledged to important tariff reductions. John Bull and Uncle Sam seemed about to "change partners"—to the great confusion of their companions in the dance.

The other leading nations of the world, except Holland, have, for the most part, trimmed a course between the two extremes. The middle ground was, however, essentially protectionist ground. Substantially, therefore, Great Britain is the only sinless power who could afford to throw stones, either of argument or of iron, to batter down the theory and the practice of trade-barriers.

It is when we turn to the relations between the great manufacturing nations on the one hand, and the less developed nations on the other, that we reach the most trying situations presented by national struggles for trade privilege. How keen and dreadful this struggle would have been during the last fifty or sixty years, if Great Britain and Holland had not removed the preferences which once surrounded their vast possessions! During almost the whole period of the conquest of South-Eastern Asia and the settlement of the New World, Europe was distracted by wars waged for national monopoly of trade with the unarmed or uncivilized peoples who then came into the horizons covered by European polity. Then the two most successful competitors saw the true light, and opened their possessions to free, or almost free, trade relations with the outer world. Other states, who followed or accompanied Great Britain and Holland in world-wide quest for possessions, have not yet seen the true light. Their efforts to create monopoly out of weakness constitute a stone of stumbling for the nations.

Unhappily, also, a great party arose in England about the beginning of this century, which declared strongly for reactionary principles in respect to colonial tariff policy. This party made declarations that put in jeopardy the world's freedom of trade with the four hundred millions of Asiatics and Africans controlled by Great Britain. It is easy to see the connection between the new policy on the one hand, and the vast development of German and American trading power on the other. It is also easy to see that the discussion of change, just when these two great nations were challenging British commercial supremacy in the world, would raise a spectre at any international love-feast.

The openly avowed colonial policy of France had already put preferential tariffs around some millions of the world's subjugated races. The United States followed with the mistaken, though well-meant, preferential arrangement affecting their newly conquered possessions in the Pacific. The Belgian Government, debarred from the establishment of special tariff privileges in the Congo, had yet found means of giving its nationals favoured positions in respect to the nascent trade of millions of blacks. Italy's abortive efforts to obtain African possessions were marked by policies which indicated a determination to place her hypothetical subjects in a mild bondage to Italian commerce. Japan had placed the weak Koreans quite within her own sphere of trade control. Russia and Japan together had put the world on notice that in one way or another such Manchurian territory as they could conquer would no longer be a free land for the enterprise of all nations. America's demands for the "open door"

in China seemed inconsistent with her Philippine policy. The assent of other nations to the policy of equal privileges in China was accompanied by acts which suggested that the superficial harmony of their diplomats was only a veil for an aggressive policy of division in the future. The efforts of German finance and manufacture to establish themselves in Turkey were met by resistance from nations which considered that these efforts concealed a sinister political motive. In Morocco, where France had been given a free hand for political domination, it was charged that, while barely keeping the letter of commercial freedom, she was every day, and in every way, breaking its spirit. The Balkan States were writhing into independence and presenting fields of future commercial activity.

In a world not yet educated to the supreme value of the denationalized trade system, it was fair to suppose that special favour in these new Balkan fields might be obtained by intrigue, by bluff, or by arms. In all this blind turmoil, it remained that the vast possessions of Great Britain and Holland were still open to the trade of the world. All other masses of relatively weak people weighed lightly in the balance against these—India, Burmah, Egypt, and Java. And now arose the cry in England that she should create imperial trade fortifications, enclosing not only sixty millions of self-governed, white people but perhaps also four hundred millions of well-governed, yet subjugated, brown and black people. Thus the evil spirit of trade-by-conquest stalked over the world, and gave dark counsels to all the leaders of men. The conclusion from these counsels is simple—if the trade with relatively weak

peoples is to be monopolized or privileged to any one nation, the world is pledged to war.

This theory would long since have rendered itself intolerable had Great Britain and Holland maintained old practices as to colonial possessions. Thus far, it has simply not been worth while for other nations to challenge France, Spain, and the United States concerning their relatively unimportant possessions. If, however, China, India, Turkey, North Africa, and perchance Mexico, are to be considered as trade pawns, controllable by past or future conquest, then indeed will it be vain to look for peace between Great Britain, Germany, France, Italy, Russia, Austria, Japan, and the United States. Even little Norway as a great sea-carrier, Holland with her colonial jewels exposed to robbery, Spain with a new life coursing in her veins, Belgium with her world-wide finance and her African empire—all these smaller states must expect to be drawn into the whirlpool. The theory is so monstrous in its unhappy results that one must wonder how it has survived—nay, even how it seems to have revived—in an age of extended intercourse and of ever-advancing civilization. We must, therefore, examine, before utterly condemning, a system which has seemed so much worth while that the world welters in blood to-day for its maintenance.

With their accustomed clarity, French statesmen have formulated the best, and probably the only, apology for the establishment, in conquered countries, of trade privileges favouring the conqueror. While volumes have been written on the subject, the French policy may be thus succinctly expressed: first, having suffered some eclipse of their glory in the European continent, this great people turned, with

renewed vigour, to demonstrate their force in distant lands. Animated by memories of the vast possessions which they had lost during the eighteenth century, and inspired by an unconquerable determination to play a large part in the civilization which they had so long led, the French first paid the heavy penalty of the third Napoleon's folly, and then set about building empires far away. Conquests followed their desires; their administrations were informed with the liberality of thought and the exactitude of method which have characterized France since the days of her great Revolution. But she had, perhaps, not fully understood one requisite for success in distant enterprise which had been enjoyed by her old rivals, England and Holland. The former of these two had indeed been specially favoured by her insular position during that argonaut era of the sixteenth and seventeenth centuries. Holland, however, was in the thick of the continental difficulties. There must, therefore, have been something else than the mere position-advantage of Great Britain which contributed to this general result—namely, that, out of five great contestants, only these two European nations emerged, controlling, both politically and commercially, vast possessions on the other side of the world.

Now what was requisite, first for the conquest, and then for the maintenance, of commercial relations with distant empires? These things we find: one must know to make a ship and sail the seas; to cut a throat and give a judgement; to weave a shirt and buy a shawl. France, Spain, and Portugal could cut throats quite as effectively as the Englishman or the Dutchman. As sailors, they were equally bold and

skilful, though proportionally less numerous, but in the manufacture of the crude things required by undeveloped populations, Spain and Portugal particularly, and France to less extent, fell far behind their rivals. The inquiry is a fascinating one, and could be pushed farther with much benefit for other purposes than those of this volume. It is sufficient to touch upon the subject in order to elucidate the French position concerning their modern colonies. Whether or not the analysis just made is correct, the fact remains that France, in spite of efficient conquest and administration, found that her distant possessions were of small avail to her as a trading nation if she left wide open the doors of opportunity to all comers. Consequently, her statesmen said, "We have spent our blood and treasure for the conquest of these weaker peoples. We have spent more of our treasure for the establishment among them of orderly government and civilized ideals. In doing this, we are acting as self-appointed agents of European enlightenment. We can be paid for our sacrifices only by holding for ourselves a preferential duty favouring French imports into our possessions. Let us make this preferential duty  $7\frac{1}{2}$  per cent." And so it was done. The plan was frank, open to the acceptance or criticism of all the nations. Now in her manufactures France excels all other nations in certain directions. But she is so far behind some of them in certain other directions, that the  $7\frac{1}{2}$  per cent preferential rate has not been sufficient to ensure to the French trade a largely profitable business with her own colonies.

When colonial trade is theoretically left open to all comers; when preferential tariffs fail to yield the

desired degree of monopoly ; when there is a special rivalry between the dominating power and some other ; in all these cases the temptation is strong to resort to indirect but effective pressure, discouraging all, or particular, foreign traders in their efforts to do business with subjugated populations. It is not difficult to invent regulations, or to circumscribe concessions in such manner that the nationals of the metropolitan state or their allies may obtain practical monopoly, even though the " open door " policy be written into treaties. These indirect methods of favouring some at the expense of others are perhaps more exasperating than definite prohibition or definitely known tariff preferences. Treaty rights are invariably invoked by those who find themselves mysteriously ousted from all fair advantage ; these invocations are met by stout denials, or by allegations that the acts complained of are necessary sequences to the exercise of the police power which the metropolitan nation has arrogated to itself in the past, or had recognized as appurtenant to it by recent engagements with other nations. Intrigue, suspicion, ill-feeling, follow fast one upon the other. Nor can we reasonably hope that these conditions can be changed as long as the world of civilized nations makes tacit or expressed avowal of the theory that the arms of the state may subjugate weaker peoples for the benefit of national commerce.

The modern era of railway construction, port improvements, irrigation work and hydro-electric power plants, has accentuated, rather than relieved, certain phases of the competition for dominion as a means to trade expansion. Fifty or sixty years ago colonial trade consisted very largely in the purchase



and sale of manufactured goods and native raw materials, both of which were in their nature subdivided into many small stocks. To-day any construction enterprise of the kinds above mentioned involves vast quantities of capital under single control, resulting in single purchases of vast quantities of rails, copper wire, electric machinery, etc.

Colonial administrations find it difficult without betraying flagrant discrimination to prejudice and destroy the efforts of individual traders in common articles of commerce, the handling of which requires no special franchise. But it is comparatively easy for administrative officers, through the original conditions of concessions, or through the subsequent relation of the activities of the concessionaire, to open these opportunities to groups who stand in political favour. In the capitals from which these administrators are sent, the men interested in the great enterprises of modern type are necessarily persons of large influence with the Governments.

## CHAPTER XXXVI

### ZONES OF INTEREST OR INFLUENCE

It has been seen that, because war is the final determinant between nations, any state claiming prior interest in some weakly governed foreign territory will view with alarm vigorous commercial action, in such a "zone of influence," by any other power of respectable military strength.

It must be recognized, however, that jealous fear of the newcomer sees other results than his warlike action. In fair competition or by intrigue he may pre-empt, or take away, commercial privileges already enjoyed or desired by the objecting state. Injury of this kind may be inflicted *without the use of arms*. Further, even an established political control may be endangered by plots hatched in near-by territories.

England long feared the advance of Russia toward the Pamirs. It was argued that, though the Czar actually restrained his hosts to the neighbourhood of Samarcand and Bokhara, yet from that vantage point they *might* go farther southward with dominion, and *might* be able, through intrigue alone, to stir revolt against British power in India.

Such action has long been the rule. It would not cease, even if an international tribunal were established. That tribunal, by its very charter, would

indeed prevent one nation from overthrowing, *through war*, the government of a weaker nation, thus gaining control of the policies of the country in question. To that extent, the cares of competitive statesmen might be relaxed.

It is not solely through war, however, that a certain domination may be gained by a great power in Constantinople, the Herat, Peking, Adis-Ababa, Bangkok, or Mexico City. Personalities still count for much in the less developed capitals of the world. The adventurous railroad builder, supported by the skilful ambassador, can accomplish for himself and his countrymen some of the things which are more barbarously accomplished by war. A potentate, as yet unfamiliar with our dazzling civilization, may be induced to grant privileges, or to condone practices, injurious to those not standing in the favour of men who have won his confidence or impressed his imagination. It is true that our supposedly clever pair of well-intentioned conspirators would be forced to work without one of the advantages which they now possess. They could not offer a loan carrying with it the avowed or implied condition that the Government of the lenders would enforce collection with the national army and navy. But even though deprived of the opportunity of dealing this joke upon themselves, shrewd men may play a shrewd game, aiming at, and winning, the prize of privilege.

It may then be asked, what shall be done about such a case as is here supposed? Will Americans or Frenchmen be satisfied to let Englishmen or Germans, operating as such, gain commercial advantage in the half-baked countries of the world? With a similar question within our respective states we are not

unfamiliar, whatever may be our nationality. Men shrewder than we seek and obtain, either in the open market or through some governmental action, an advantage which we deem unfair to ourselves. Often enough, while smarting with the sense of injury, we find ourselves quite unable to allege the infraction of any well-settled principles of law in explanation of the success of our competitors. Yet we do not conceive ordinarily that these cases of injustice are to be remedied by seceding from society. We do not consider that we should endeavour to destroy the institutions of justice because in a few cases those institutions, according to our judgements, provide no remedy for the wrongs which we allege. It has been quite definitely established among us that it is better to submit to some such inequalities of action, rather than to disrupt the whole machinery of civilization in a violent attempt to correct them. If the evil courses continue, if they exhibit themselves in such regularity of form that they may be clearly defined in words, and if they are objected to by a majority of our fellow-citizens, the remedy is eventually obtained by the institution of a new and prohibitive statute.

No better solution of such difficulties can be obtained in international affairs. If abuses, traceable to such causes as have been stated above, should develop animosities, threatening to explode into violence, then a tribunal, having competence granted to it in such matters, could intervene to prevent that violence. Meantime, if the abuse itself be flagrant, in contravening some of the few general principles of morality which the world accepts, they might be restrained by superior authority until society at

large, acting through the national units into which we have been gathered, should have passed upon the matter. To state that any tribunal might not occasionally run counter in its decisions to the opinions of many good and wise men would be to state a trite truism. This would occur whether the tribunal should profess to interpret the six non-ceremonial principles of the Decalogue, or whether they should be engaged in interpreting expansive statutes, dealing in a thousand particulars. This we know. But we know also that an organization which preserves the tranquillity of society as its normal state is precious to us, even at the price of occasional injustice.

## CHAPTER XXXVII

### ACCESS TO THE SEA

THE control of narrow waterways connecting great seas, or leading into great rivers, has long vexed the souls of international statesmen. A right to reach the great highway is essential to the value of possession in any land. So difficult is the solution of this problem in the minds of some men, that it stands as a serious obstacle in the way of the establishment of any international peace-keeping instrumentality. Or, on the other hand, it is presented as being the very subject matter of the first, and perhaps the only, effort at international control which seems warranted in the present condition of the world. Looked at from this latter point of view, we must remark that an effective international control of Panama, Suez, Gibraltar, Cattegat, Kiel, and the Dardanelles implies a central power of the same character and magnitude as that which would be proposed for the general pacification of the world. Normally, all nations are connected by treaties, expressed in the most beautifully fraternal language, and ensuring continuity of amicable relations. The treaties which set forth these relations are those which are broken by every war. They are broken because there is no superior power to prevent the rupture, and because the parties

to the treaties are armed to fight each other about their differences of interest. These differences develop in spite of the effort made in treaties to cover future contingencies. New situations arise. These reverse, or modify, the effect of treaty stipulations upon national interests. Such would be the case in regard to any set of stipulations affecting the use of essential waterways. What would a small and forceless international organization do to prevent the outbreak of war among armed nations claiming infractions (or futility) of old engagements concerning such waterways? A more serious aspect is given to the question when we consider that the proposal of an international control, limited to the great passing places of the ocean, leaves, by supposition, all other questions determinable as they are now determinable.

Wars waged about *any other issue* instantly put into the foreground the military importance of these passing places. If general treaties have been made, tending to establish rules for the strategical use, or non-use, of such positions, those treaties immediately fail as between belligerents. So far as neutrals are concerned, they will retain just as much of their rights in the matter as their force and their courage can hold for them. In other words, the situation would be substantially what it is to-day, with this exception—that a belligerent, desiring first to seize control, would not find it necessary to overcome fortifications and large armies. Each belligerent would allege some illegal act of his enemy as a reason for entering the supposed international territory, which, in the nature of the case, would be a very small area, and an undefended area, unless the international organization is to be itself a great power.

The doctrine of reprisal covers a multitude of sins. It was just as familiar to a war-bedevilled world a hundred years ago as it is to-day. It cannot be eradicated from war as a system, by any council of non-combatant philosophers at the Hague.

It remains just possible that, in spite of these difficulties, the world will endeavour to find a way toward international control of narrow waterways, before men's minds shall have been attuned to the thought of a general and complete peace-keeping organization. It is unfortunate that the United States has placed the seal of nationality upon one of the links in the world's commerce which, out of its great wealth, it has recently established at Panama. We need scarcely doubt that the American pretensions on this subject will constitute a severe check to any movement toward internationalizing other similar situations. It will not be difficult for Great Britain to allege, with much reasonableness in the allegation, that the original international character of the Suez Canal has been forfeited by changes in the Egyptian situation, and further, by the nationalizing of the Panama Canal. At this date, one can only express a hope that, if there is a sincere effort to place other important straits and canals under international control, the United States will consent to a modification of its present attitude.

But the difficulty of making such modification, or of making any effective international control of these situations, will be almost insuperable so long as war remains what it is to-day—the supreme court of the world.

Our special interest in the matter in this volume is to point out the fact that recurs so often in considering



other existing policies—namely, this, that the whole relationship changes if we suppose the nations disarmed and submitting to a central armed tribunal. Instantly, all questions of strategic value cease to trouble. The problem almost vanishes. There is, however, one element of it which remains if after international organization the shores of these narrow waterways remain in national control. We may illustrate by reference to Constantinople. Let us suppose that any power whatever, other than Russia, should have sovereignty over the land on both sides of the Dardanelles and the Bosphorus. Let us suppose a general disarmament and a central control to prevent war. We then eliminate the *military* danger to other nations by reason of sovereignty over this important situation. We also eliminate from Russian and Roumanian Cabinets the fear of blockade and cessation of their commerce, which they must now face, even if they themselves be neutrals in any international war waged by the state controlling Constantinople. It would remain, however, that the usual police power exercised by that state over its own territory might be used in the guise of port-regulations and channel-regulations to inconvenience commerce directed to Russian or Roumanian ports. This is a difficulty now arising from national control of shore-lines fronting straits, and also of stations such as Gibraltar. To-day we fight against misuse of this national power—if we are strong. What will happen if we cannot fight? The solution of this problem is not far to seek. The establishment of such an international tribunal as is here contemplated is predicated upon the supposition that nations will continue to be bound together by

the usual treaties of peace and amity which now define the normal relations between them. Without such relations they could not, of course, superpose upon them articles of agreement which must be adopted in constituting the international tribunal. It has not been difficult in the past, and certainly would not be difficult in the future, to cover by treaty stipulations the extent to which the police power of a riparian sovereign could apply to international traffic through the historic waters leading to Constantinople and to similar situations elsewhere. The difference between the status then and the status now would be simply the difference between the placing of contracts under the guarantee of a competent central authority on the one hand, and, on the other hand, leaving these contracts to the unstable counsels and the shifting conscience of independent and armed competitors. That is present practice. It is the *only* practice possible, unless we cease to compete by war.

In anticipation of the establishment of such a central control, it is probable that governments about to enter into it would recast the various treaties then outstanding between themselves and other governments. In spite of the friendly professions appearing in these treaties, as they are now drawn, the spirit of war must whisper some of their provisions in the ears of the diplomats who draft them. This great spirit now broods masterful over our world. No state is free to make contracts that do not contain explicit or implicit terms dictated by this stern master. He may permit years to pass during which his voice is heard only in the rumble of cannon in practice manoeuvres. But none of us can forget

his existence. If now we find a way to exorcise this ancient spirit of ill-will, we may reasonably modify those engagements which constitute a *modus vivendi* among nations. The *status quo* created by treaties, thus revised and inspired by the establishment of mechanisms for the preservation of peace on earth, would be, in effect, that status the preservation of which would be entrusted to an international tribunal.

To attempt a codification of the principles and specific engagements governing the relations of many nations would probably embarrass, rather than facilitate, the task of those who will attempt international organization. Nor would it be gain to insist upon the literal observance of every item appearing in all these contracts. We are as yet only bungling in the delicate art of formulating rules of good conduct. Perfectly clear expression seems to be beyond us. Commercial contracts (which have precedents running through a period of about eight thousand years) are still frequently drawn so loosely that our courts are kept busy in adjudicating quarrels arising from them. We may, therefore, confidently expect that a careful study of a number of international treaties will discover provisions inconsistent with each other, and some also which will be inconsistent with the general scheme of world organization which all were supposed to contemplate. Furthermore, even in a régime of peace, as now in a régime of war, the lapse of time, the birth of new situations, would divert certain provisions from the effects which they were originally intended to produce. Each ship of state, traversing the unknown waters of the future years, would make its discoveries of circumstance, and would bend its course accordingly in the pursuit

of happiness for its citizens. To-day, and during all of our yesterdays, various ships, launched by fate upon their various courses, have met in unknown waters, and given battle to each other for dubious prizes. There was no admiral of the fleet whose authority could reset the course and save the lives of the sailors. Such an admiral we now seek. Shall he be chosen by the free suffrages of all of us, storm-driven wayfarers on the ocean of life, or shall he, as captain of some great and overpowering dreadnought, impose upon us an authority which we must receive as slaves rather than create over ourselves as free men ?

## CHAPTER XXXVIII

### INTERVENTIONS

ONE of the most creditable causes leading to international strain is found in the desire of one state to interfere forcibly in the affairs of another, through sympathy for some discounted and afflicted element in the population of the second state. Unfortunately, an alleged championing of the weak is often only a cloak under which we hypocritically conceal the pursuit of some selfish design. Yet, withal, we may optimistically believe that the state—a composite man—may attain, in small measure, to purely sympathetic self-sacrifice. Even without the special bond of race or language there are occasional movements on the part of strong nations in behalf of feebler bodies who are believed to be unjustly oppressed. Such sentiments entered the lists on both sides in the Spanish-American conflict. The United States was led to declare war against Spain by virtue of popular sympathy for the Cuban revolutionists, mixed with other motives. And, on the other hand, when the great power of the Republic was actually directed against the weaker Spanish state, there was a European movement of sympathy for a proud and valorous people, threatened with humiliation. This movement, reinforced by suggestions of policy,

brought several governments to the brink of hostility with the Government which professed to be engaged in a purely humanitarian chastisement of a harsh and inefficient control.

In like manner, when various elements of the diverse populations subjected to Turkish rule from time to time cried out in distress, the indignant commiseration of Europe demanded punishment of the oppressor, and relief from his ignorant rule.

Rebellion within a state, or resistance offered by a weak government to the pretensions of a stronger, undoubtedly contains the seeds of greater wars. The situations thus presented must not be overlooked in any scheme for general pacification.

International organization does not directly aim at the suppression of rebellion. On the contrary, it seems as yet necessary to leave to oppressed masses the theoretical right to relieve their wrongs by any means available. That in the future, as in the past, various groups in various states will be profoundly convinced that they are the victims of domestic injustice, we cannot doubt. That a deep sense of wrong, felt by multitudes, may lead them to forceful resistance, likewise we cannot doubt. That these efforts will excite the sympathy of people dwelling in other states we must suppose. That the governments of these other states, partly impelled by love of justice, and partly by some shrewd calculation of advantage, will be tempted to interfere must also be admitted. These considerations lead to the conclusion that in any scheme of international organization provision should be found which would permit the giving of aid when large numbers greatly suffer from governmental injustice, and, at the same time,

would prevent the pursuit of selfish purposes by the intervener. To accomplish the former object, without admitting the latter probability, is impossible in the present state of the world. No mechanism exists save that of an armed sovereign state to intervene in the affairs of another state whose subjects cry aloud to the world for redress of unbearable wrongs. And when intervention has been undertaken by such an armed state, no mechanism exists to prevent injustice being done by the supposed good Samaritan—unless it be another intervention by some jealous rival. Thus the contagion of charitable violence may be widely spread, and degenerate into desolating wars, waged without further thought of sympathetic motives originally involved.

It requires but a moment's consideration to conclude that the case under discussion, through the very difficulties it now presents, is one which argues most strongly for the establishment of a centralized power.

The subject is further treated in a discussion of the provisions appearing in a tentative draft of Articles of Agreement for the establishment of an International Tribunal. It is sufficient here to state that this living cause of war will continue to live and thrive and bear its bitter fruit unless the nations consent to curb their pride of sovereignty and create over themselves a judge in Israel.

The desire to protect foreign interests in a disordered state has been mentioned as one of the causes of war still threatening our modern world. Indeed it is the actuality of the American imbroglio in Mexico. Foreign interests of three different kinds are menaced there by rapid-fire revolutions. The *lives* of Europeans and Americans are lost or jeopardized.

Foreign-owned *property* is destroyed; and, lastly, because the United States objects to intervention by other interested nations, a famous *policy*—namely, the Monroe Doctrine, is thought to be involved. There is fair reason to suppose that, but for the Great War, Mexican independence might already have been sacrificed to the political necessity of “vigorous action” by the United States, impelled thereto by European insistence upon the restoration of order.

In respect to all Central and South American States, it may be said that an instrumentality for intervention exists through the quasi-acceptance of the Monroe Doctrine by European powers. Moved by considerations of prudence, these powers will defer to the eleventh hour any use of force against Latin America, however irritating may be the situation of their own interests. But no similar tolerance of sentiment can be expected from the South American Republics themselves. It will be surprising if they do not continue to view with suspicion all the big-brother actions of their giant neighbour. Relatively weak, their indignation must be impotent, unless, perhaps, *all* should closely unite in warlike opposition to Northern intervention. Complete co-operation of governments, so often discordant, is not easy. Yet even partial success in cementing alliances for war against the United States might encourage some trans-Atlantic power to join fortunes with states determined to oppose acts which, however well meant, might appear to them as unjust and tyrannical.

This disorder in Mexico is substantially domestic. It did not originate in any foreign policy.

Huerta and Villa believed that they had good reason to hate the Government of the United States.



But their sentiments and their actions, in respect to Washington, were by-products of the national disturbance.

In the Austro-Servian intervention we find, on the contrary, that an accusation is made of a propaganda and a plotting in Servia aimed directly at Austrian interests, as a means of gratifying race-sympathy and eventually of aggrandizing race-power.

This effort had for some years been *unofficial*, the Servian Government having agreed to check official diatribes directed against the Dual Monarch. This rendered the situation very difficult, diplomatically.

A kind of international intervention was proposed to Austria. But no impartial tribunal was in existence, and—as Vienna saw the case—delay had already passed the limits of saintly patience. Moreover, among the nations making the proposal there had never been given the slightest encouragement to the doctrine that questions of honour or vital interest should be submitted to any other judgement than that of the sovereign state concerned. Medicine was offered by doctors who refused, in theory, their own prescriptions.

And so, without organization for the control of passion and the guarantee of tranquillity, the world burst into flame.

That which Sir Edward Grey proposed was wise but abnormal, and involved a rude sacrifice of Austrian pride. Let us try to render it normal; the dignity of all nations being preserved by the equality of all nations before a superior bar.

In the Western Continent there is but one *Great Power*. Intervention by it is relatively free from the handicap of jealousies such as exist in the Old World.

But even in this case there is yet possibility—nay, probability—of unhappy complications ensuing from individual action. And this probability will grow greater as inter-communication increases. The Atlantic cannot for ever be accepted as a frontier separating national relationships into two independent categories. We must look to international interaction stretching across both oceans as the only trustworthy method of guarding foreign interests in disordered states. In no other way can the spirit of domestic violence be restrained from setting fire to the general tranquillity. Every year will mark a higher degree of commercial interdependence among all nations. Appeals, whether of sympathy or interest, will be urged with increasing strength and in an increasing number of capitals, as we weave more and more closely the web of international life.

That weaving is the true work of civilization. But in it a danger lurks. If we multiply the points of contact, we multiply the points of possible irritation. Without proper mechanisms of control we may therefore see again (as we see to-day) the beneficent work of Science undone; its fair fabric torn from the loom; its artisans slaughtered; its white light dimmed to the red glare of war.

## CHAPTER XXXIX

### WARS TO DIVERT DOMESTIC TROUBLES

WHISPERED before the fact, perhaps boldly declared after the fact, foreign war may be waged as a means of diverting popular attention from some volcanic question of internal policy. This case, however, must go in mask. Statesmen must find a *casus belli* expressed in terms of alleged wrong inflicted by an alien power upon the feverish body of their own people. The fictitious purpose must fall within a classification of real international disputes.

As the kernel of the action is domestic, it does not in itself supply any independent subject matter to our discussion. Yet the listing of existing war-motives is incomplete without citation of this case. Moreover, there is a collateral phase of its movement which merits some special note. In an earlier chapter we treat of dynastic wars as such. They were said to be substantially obsolete, but they may now occasionally *appear* to be operative. Thus, if a monarchical government is disturbed by threat of revolution, the conservation of that government will necessarily serve to protect the ruling dynasty from possible downfall. Political strategy may require that dynastic considerations be emphasized, even though the directing minds of the nation desire only

to conserve *government in general*. If the leaders in a modern state strenuously uphold an existing dynasty, it is because they consider it an important element contributing to the general stability of their institutions.

This assertion is supported by the frankly expressed opinions of the educated classes in those advanced European countries which still give allegiance to various ruling families.

Throughout the literature of England, Germany, Austria, Spain, Italy, Sweden, and Greece it will be difficult to find anything written within the last twenty-five or thirty years by any author of considerable weight that does not present the Crown as being an *instrumentality* of the State. Old ceremonial forms of speech indeed remain. English judges still wear wigs; but the hair is known to be false. George V. may, and indeed *must*, talk of "My Army" and "My Navy"; yet everybody knows that in England Country comes before King. The Throne is only a part of the furnishings of a chamber devoted to the general welfare. Monarchy as a system may have much to recommend it. One of its defects lies in this, that its virtues are almost inseparably connected with the decadent principle of hereditary right. Hence men who desire to retain the good that inheres in the system are driven to a rather blind support of the claims of particular families. We may assume that the last surviving effects of devotion to royal personalities or families will be seen in pseudo-dynastic wars made, in fact, to preserve domestic peace.

Even in Republics diversion-wars are sometimes advocated. Thus, though there was no American

dynasty to be served in 1861, Mr. Seward, and others of his school, were looking about for some foreign war guaranteed not to fail. Such a war, they believed, would calm the storm then brewing in the South. The impetuous men of Charleston interfered with these wise or foolish plans. They saved the United States from whatever international contest might have been selected, and plunged it into a civil strife of unsurpassed dimensions.

But the idea survived. Forty years later, wishing to heal the wounds caused by Secession, a considerable number of Americans consented to the Spanish War, which, but for the anticipated domestic benefit, would have met their opposition. The Cuban situation provided salve enough for consciences that ratified the drawing of Spanish blood as cement for a reunited North and South.

When the home trouble is very grave, and when there is some pre-existing basis for the foreign conflict that is incited as a restorative, our easy international morals are not severely shocked by this classic *tour de force* of statesmen. But, alas! like many other easy remedies, it is sometimes applied to the cure of mere partisan weakness. Those who possess power and love it (who is free from this passion?) call upon Mars to defend their places when menaced at the ballot-box. There is something almost Satanic in this reasoning: "We will seek a quarrel, we will find an adversary, we will make us a foe. We will kill his people and immolate some of ours. But our party will be saved." Let us hope that all who have made such designs have sincerely believed that their party was in fact their country's sole palladium.

Happily this whole policy—commended only by

the most icy Machiavellis—will fall into a heap of ruins when we erect the great structure of Central Power. Then there will be no war-mask to cover the excessive devotion or the venal intrigue of menaced statesmen.

## CHAPTER XL

### PROTECTION AND FREE TRADE

As to international trade between the great civilized and self-governed nations, even the most rabid protectionist recognizes that at least within some limits, which he cannot distinctly indicate, there is material, moral, and intellectual benefit to be derived from such intercourse. He will admit that the benefits claimed as due to the Custom House, whether they be fiscal, economic, or military, are obtained by the sacrifice of other benefits, which would flow from unrestricted commerce between the nations. While restrictions, as between themselves, are admitted through a necessary comity of opinion by strong self-governing nations, a powerful sense of injustice is aroused when we contemplate preferential trade relations, fixed by a conqueror upon subjugated peoples and in favour of his own nationals. So strong is the sentiment concerning this latter point that we are tempted to conclude that if we would avoid international war, we must obtain the adoption of the following principle—that, *No commercial preferences affecting the trade of subordinate countries shall be established by the ruling Power in favour of its own nationals.*

Having in view the spirit of independence which

must animate men in order that they shall become parts of self-governing nations, and also the widespread belief in the economic soundness of the protective doctrine, we may conclude that in inaugurating a system of control to eliminate war, we must recognize another principle somewhat antithetical with the one just above indicated—namely, *that self-governing states shall be left to adopt either Free Trade or Protection in regard to commerce between their respective nationals, not including their subordinated populations.*

To those who believe that the protective system, even if thus restricted, must carry with it the seeds of war, we may point out the following ameliorating conditions. First, it will be seen that a considerable part of the existing system of national separatism in trade rests upon the existing system of war as the ultimate determinant of international disputes. If, therefore, we destroy the foundation, the superstructure will fall. The removal of barriers closely related to the war system will almost certainly carry with it such benefits that a still further extension of free intercourse will be inevitably suggested. In the second place, it may be noted that the Custom House duty, considered purely as a source of revenue, is being everywhere attacked, as are all other indirect imposts, because it conceals from the tax-payer the true amount of his contribution to government. It is well known that many of our crude schemes of taxation have come down to us from a time when it was considered wise statesmanship to obtain money from the citizen without his knowledge. Even democratic governments are still seduced by this specious argument. Progress in the direction of



eliminating this vicious principle has been so slow as to disappoint the hopes of many reformers.

Nevertheless, progress is being made. There is no reason to despair; when the military prop shall have been knocked from under the Custom House by the establishment of an International Tribunal, this other prop, the "fatal facility" argument, joined to the "indirect impost" argument, may soon totter to its fall. Deprived of these two legs, the former tripod will then be resting solely upon the economic argument. If that argument is sound, then the practice of protectionism, with this purpose alone in view, need not be feared, as being provocative of war. If all national groups actually benefit by a certain degree of national separatism, then satisfaction with that system would be general, and none would be tempted to slaughter his neighbours, in order to break down a mutually helpful status. If, on the other hand, certain nations should conceive themselves benefited by a free trade policy for their own people, nothing would interfere with the adoption of such policy, while others might yet cling to the restrictive system. Such indeed has been the case now for many years, as illustrated by Great Britain and Holland. During these years they have not made war with any self-governing power simply with a view to destroying the protective system of such power. If the abolition of war in general shall bring the benefits which are hoped for, there would be all the less reason for a rebellious disturbance because of differences of opinion between the self-governing units which would voluntarily have set up a control over their sovereignties in order to secure the prosperities of peace.

## CHAPTER XLI

### “ THE WHITE MAN’S BURDEN ”

WARS of conquest, avowed as such, take place to-day among the savage tribes of Africa. They have taken place among the ancestors of the most respectable civilized people ; but they do not now occur among governments related to each other within the general family of civilization. However brutal may be the aggression, as measured by one of the belligerents, the other is found conscientiously declaring that he is not making a war of conquest, but that some of his sacred rights have been invaded, or that his future welfare has been seriously jeopardized.

Even when the contests are between a civilized nation on the one hand, and some weak and undeveloped society on the other, there is ever upon the lips of diplomacy some fair word of explanation. Rudyard Kipling has made a phrase which expresses at once our sincere concern and our insatiable selfishness in dealing with weaker brethren. Whether we make a real sacrifice or seek a mean advantage, we declare that we are bearing “ the white man’s burden.”

This wonderful catch-phrase, like a coat of many colours, confuses the vision, and leaves one in doubt as to the true sentiments which it covers. So completely have we hypnotized ourselves, in our relations

with inferior races, that we often restrict the ugly word "aggressive" to those national enterprises which result in the taking away by one European nation territory belonging to another of the same polity. And this word gets its deepest dye when the act described by it is the taking of *European* territory. The differences, when measured by unprejudiced reasoning, are illusive enough. Nevertheless, they have been so far accepted as to be now the source of an immense amount of throwing of stones by those who live in glass houses.

Freeing itself from any questions of conscience concerning its actions, outside of certain respected countries, Modern Civilization has extended its power in very recent years over vast areas, which it will be interesting to review.

Let us first turn to Great Britain. In the piquant phrase of her splendid empire-gatherers, they have "taken on," within the last few decades, the following territories: the Malay Peninsula, Burma, various other vast extensions northward of their earlier Indian Empire, Egypt, and the Soudan. Unsuccessful attacks have been made upon Afghanistan and Tibet. In South Africa a "taking on" of a somewhat different character has occurred, the objective in this case being a white man's republic. These white men were very simple people, living almost out of the world's ken, and the case seemed in many minds to be assimilated to those in which other races than our own were the subjects of conquest. A portion of Persia has been placed under English suzerainty, the exact character of the control not yet being determined. The Sinai Peninsula and various other small holdings have also gone under British rule.

France has absorbed Cochin-China, extending her earlier holdings in the neighbouring region. Her Algerian territory has been extended southward by conquest. Tunisia has been taken over as a "protectorate," but, substantially, has become a part of the French colonial empire. Other extensions of French power in Africa have been made by the use of arms against the natives, and in a fashion, through European consent, by the compromises established at the Berlin Conferences. Just before the Great War Morocco was being swallowed; the process is still under way.

Italy tried, but failed, to conquer Abyssinia; then tried, and has thus far failed, in the conquest of Tripolitana.

Russia has subjugated Caucasian territory and the trans-Caspian regions north of Persian Afghanistan. That portion of Persia which Great Britain does not control is now being fought for by Russia. In the Farther East, a vast Manchurian territory has been dominated; Mongolia has also fallen in large part to the Czar, though the status in that unfamiliar region is still somewhat doubtful.

Germany has not played an important rôle in the matter of "aggressions," but it is of the same character as that undertaken by her more fortunate neighbours. She has, in a very recent spirit of colonial activity, "taken on" Samoa, the Cameroons, Kaiser Wilhelm's Land, Bismarck Archipelago, Marshall Islands, and Kiao-chow.

Japan has practically taken over those portions of Manchuria which Russia could not take, a great war between these two "non-aggressive" people having been fought to determine the line between

their controlled territories. Korea has been definitely added to the Japanese territory, and also Formosa and the island of Sagkalin.

Belgium has received from her king, and from European consent, dominion that is gradually enforced by arms over vast areas in Africa.

The United States has conquered the Philippines, and has taken over Porto Rico and Hawaii, partly by conquest, and partly by consent of native peoples. Cuba also is in tutelage as the result of a war with Spain.

This, in brief, is an outline of the territorial expansions made by “ righteous ” nations within the last thirty or forty years. In order to effect these conquests, each of these nations has killed just such number of men, women, and children as it was found necessary to kill. The humanitarian impulse has been so strong that they have fought, or been ready to fight, with each other for the privilege of taking up the “ white man’s burden.” (Just how this colour-scheme will be modified for use in Japan we leave to the reader’s ingenuity.) A beautiful devotion to their self-imposed duties is shown by the constant declarations that each is protecting its subjects from the possible “ aggression ” of others. Happily the process has gone so far that little territory remains for original conquest by European or Japanese armies. If these regions become the subject of war in the future, it will be due to attacks by less favoured nations upon the special privileges which dominating powers may enjoy in the weak territories controlled by them. This phase of the subject is elsewhere treated.

Abyssinia stands now substantially alone in Africa

as territory not yet assigned to any one of the conquering powers. That statement may not be accurate, in so far as it may be vitiated by possible secret understandings between England and France. Should this conquest be undertaken by either one or the other, we shall have, let us hope, the last example of warlike rivalry for the privilege of uplifting our barbarous brethren. From personal knowledge of Abyssinia, the author is able to assert that he who undertakes the "white man's burden" there will find a particularly heavy task.

The destiny of China, as a possible *casus belli* among European nations, is bound up with the general subject of commercial privileges, and is involved in the treatment of that subject in another chapter.

In conclusion, we see that, whether by evil or virtuous processes, the weaker peoples of Asia and Africa have now almost wholly been subjugated to European or Japanese influence. Undoubtedly this will hasten the spread of our civilization over the entire globe. The great inequalities which exist in the holdings of different powers will continue to disturb the peace of the world unless we adopt universally those fair and common-sense principles of administration which have been illustrated by British practice in the past, and are set forth in proper place in this volume.

In the exercise of dominion over conquered peoples there is a satisfaction of vanity which appeals to all men. In the vision of a national flag floating in distant ports, symbol of far-stretching national power, there is a glamour of greatness falling upon every citizen of the ruling state. The strength of these insidious influences in moulding public policy, we shall

not attempt to measure. But if they be, for the moment, dismissed, and if we assume that no special trade-privilege is to be held by the metropolitan power, it will be instructive to measure the remaining advantage gained by *administration* as such. Let us take at once the most remarkable case of foreign domination in history—that of the British-Indian Empire. Here we see 315,000,000 people, of various but kindred races, occupying contiguous lands, and ruled by an alien race domiciled in a distant island. The sole continuous line of communication between the governing power and its vassals is by water, and is about five thousand miles in length. Viewing the situation as it existed before the present war, we find in India a military force of British soldiers 75,000 strong; something like 10,000 civil officials; all told, perhaps 15,000 pensioners. All together, and making allowance for error, we may say that not more than 120,000 British subjects have their bellies filled and their backs clothed out of Indian taxation.

Considered as a British "industry," that is the index of value of "Empire" over the vast populations which, more or less willingly, bend to the sway of the foreign Sahibs. That is the number of "jobs" distributed to an adult male population of about 12,000,000 (Canada and Australia included with the Three Kingdoms).

That is to say that one man in a hundred among British-born people is secured against want—is, indeed, assured a comfortable living (rising to the luxurious in a few cases) in exchange for his labour as an administrator or a policeman.

A single electric company in America—another in Germany—normally employ half as many men as

are employed in this enterprise which looms vastly in all imaginations, which awakens bitter jealousies in other nations. Any threat to this business, even the most remote and fantastical, is deemed sufficient warrant for national acts that would be scorned by every honourable Englishman in his private capacity. Such is the power of tradition ; such is the spell of glory ; and such is the effect of a legitimate fear that *trade*, as well as administration, would be monopolized by any conqueror able to displace the British from their hold upon India.

How baneful is that doctrine—happily abjured in London many years ago—which teaches that commercial monopoly should be cloaked as the Garb of Western Civilization, and imposed, as a Christian duty, upon people less adventurous than ourselves !

Eliminating this ugly, pernicious principle, can we believe that any understanding Government would wage great wars in order to seize from competent British hands this administration job, when the upbuilding of a single new enterprise, in some productive art, would yield its people as much or more of loaves and fishes ?

Have we not been deceived—all of us—as to the true dimensions of “ Empire,” when shorn of wrongful privilege over the conquered millions ? Would “ possessions ” continue to lure us to wars, as a shimmering mirage lures us on to naked deserts, if we but weigh them in the balance with the prizes of peaceful industry ?



## APPENDIX A

LET us take the century from 1800 to 1900, confining our estimate to the populations of Europe and the United States. In dealing with America, the great Civil War is included. That was not an international conflict—not one of the class with which this volume is chiefly concerned—yet by its magnitude, and by certain of its aspects, it may logically enter our argument.

The principal international wars that have occurred during the period in question are as follows :

The Napoleonic wars (1800 to 1815 only).

The French-Spanish war for the suppression of revolutionary movements in Spain.

The Turko-Greek war, resulting in the liberation of Greece from Turkish rule.

The Austro-Danish war.

The war of the Anglo-French alliance against Russia.

The Franco-Austrian war, the countries now constituting involving Italy.

The Franco-Mexican war.

The Prusso-Danish war. The Austro-Prussian war.

The Franco-Prussian war.

The Anglo-Boer war. (Treated as though wholly within the period.)

The Spanish-American war.

The Russo-Turkish war of 1878.

The Anglo-Egyptian war.

The Italo-Abyssinian war.

Precise figures for losses in these struggles are not obtainable. Casualties befalling European armies in certain Asiatic

and African campaigns are not attempted. Their exclusion produces no sensible error.

Some accommodation of diverse figures<sup>1</sup> is necessary in presenting a figure of totals. The numbers of those dying of disease are, in several cases, merely estimated from ratios established in other reported cases. It is particularly difficult to determine whether fatalities of this sort should, or should not, be charged altogether against contemporaneous military operations with which they are connected, since epidemics ravage civil populations in times of peace. Those who were severely maimed, so that they could no longer be self-supporting, constitute a charge against war, heavier on the economic side, and lighter on the sentimental side, than if they had been killed. But no data are available to determine the number in this class. We know that a very large percentage (now as high as 70) of wounded soldiers may be returned to the ranks for duty. Those not thus returned will, in part, recover later, or, in any case, will be capable of partial or complete self-support. As an approximation to accuracy, 25 per cent of the wounded are added to the "Killed," in stating the total war-draft upon human life. For all the wars listed above, the number of "Killed" and "Died of disease" reaches approximately 3,200,000. The unavoidable lack of exactitude in such a calculation will still leave the general conclusions, for our purposes, sufficiently sound.

All these "Killed" and "Died of disease," all this imposing column of more than 3,000,000 men, were doomed to die, even as their mothers bore them—even as all of us in our sheltered, peaceful lives are already condemned to death. Let the bullet be stayed but a little while, and lo! the young soldier, now a grey-haired man, falls into his grave. His exit is less dramatic, but equally inexorable, whether he be taken on the bloody field or in the hushed bedchamber of his home. If only *one* in all the brave ranks were immune from any death save that on the battle-ground—how infinitely more tragic would be the story of war! We must not count

<sup>1</sup> The authorities consulted are chiefly Livermore, Berndt, Heitman, and the U.S. Army War College.

its penalties in *lives* (since *all* are forfeited), but in *years of life*. The youth who fell at Waterloo—at Gettysburg—would have lived longer—but not eternally—had he escaped the fatal bullet. Let us therefore consider the number of *man-years* that were blotted out when his head went down in darkness. He was twenty-three. His “expectancy” was thirty years. So the nation lost, by war’s decree against him, thirty *man-years*. He had lived twenty-three of the fifty-three spans which the law of averages operating in peace-times would have given him. These twenty-three man-years he had contributed to the total life-volume of his nation. And it is with this ever-mounting total that we may now compare the tax laid by war. What was the life-volume of our civilization during the century we are considering? How many man-years were lived in Europe and the United States during that period? The figure is imposing—32,000,000,000. It is made up of all the short lives—millions of babies each of whom yield us but one man-year each; and all the long lives—millions of old men and women, giving us seventy—or eighty—or ninety years each; and all the millions—young and old—giving us, on the average, about thirty-three years each: a vast aggregate of pulsing flesh, of hopes and fears, of pains and pleasures, of good and evil. And from this aggregate the war-god has taken his toll—three millions of men having an approximate average expectancy of thirty years.

The life-volume sacrificed is then 90,000,000 man-years—or 0·28 per cent of the total life-volume of 32,000,000,000 man-years for the century!

But, it will be said, the activities which were destroyed were those of maximum industrial value to society. The loss should be stated as a fraction of the available *male working years*. And there is substance in the suggestion. If we assume all men between the ages of sixteen and sixty-four as belonging to the industrial army, then we have approximately 6,500,000,000 man-years to do the century’s work, as far as it is done by males, leaving female labour out of the count, and the ratio of such years taken by war becomes 1·5 per cent (approximately) of the total. Again how small the figure!

But another element should be calculated—namely, the time lost in military service by those who are not killed. For this determination, we have a fairly well-fixed proportion between fatalities and average length of service. For every man killed we may account twenty-five years of service for one man. Applying this ratio to all who die of disease, as well as to those killed by lethal weapons, we have 3,000,000 multiplied by 25—or 75,000,000 man-years thus consumed in marchings and campings and the to-and-fro of war movements.

Roughly, therefore, the figures first deduced may be doubled—we may say that the loss in man-years was one half of 1 per cent of the total life volume, and 3 per cent of the male industrial volume. Do these figures justify a revolution in world-organization?

But what of the great war now raging? Does it not present new and desperate conditions, more terrible than heretofore known. Certainly its toll is heavy.

Exaggeration of irresponsible journalists has much confused the public mind thus far. Complete reports are not available, but we may set forth certain figures as fairly well established. Thus the German losses in killed and died of wounds, up to February 1, 1917, is given at (very nearly) 1,000,000; with "total casualties" (dead, wounded, missing, and prisoners) a little more than 4,000,000. The British report of "Killed" for five months of very heavy fighting, from July 1 to December 1, 1916, are (very nearly) 110,000, with 550,000 casualties. The ratio of "dead" to all losses, as shown by the German and English figures just quoted, is approximately 20 per cent. Applying this figure to 14,000,000, estimated by competent authorities as "total casualties" for all armies up to February 1, 1917, we have 3,800,000 for the total "Killed" during a period of two and a half years. With such indications, we shall not be under the mark, it appears, if we roundly take 2,000,000 per year as the number now being sacrificed to war in Europe. The populations involved (not including subordinated peoples, such as Hindus, Egyptians, etc.) run to about 420,000,000, made up as follows: Russia (now out), 140,000,000; Germany, 70,000,000;

Austria-Hungary, 45,000,000 ; Italy, 30,000,000 ; France, 40,000,000 ; Great Britain and white colonies, 60,000,000 ; Belgium, 7,500,000 ; Balkan States, 13,000,000 ; Turkey, 20,000,000 ; the United States, 100,000,000. Of this grand total, less than one half of 1 per cent expires annually on the field of battle during this the greatest war. In terms of males alone, we may say 1 per cent ; in terms of males over eighteen, about 5 per cent.

Both from the industrial-productive and the race-productive point of view, this is serious ; but in respect to the former, women's labour will partially compensate the undoubted loss. In respect to the latter, only because of prevailing restraints upon births, and because of our monogamous system of marriage, is any future population-deficiency to be feared. This, however, is a very important "only" ; we have reason to hold fast, for yet many years, to the one-man-one-woman mating method as the recognized basis of reproduction. Unquestionably there will be "accommodations" with the rigid legalities of to-day, as they bear upon bastardy. And ere many years, by virtue of an increased birth-rate, the familiar sex-equilibrium will be restored, as it has been in the past, after other great conflicts.

We have now marshalled before us the measure of life-destruction on the battle-field, in unsympathetic figures, rather than in popular traditions or in vague emotions.

Let us turn, then, to consider the sacrifices that are daily made to the institutions of Peace ; to industry and to social relations sanctioned by the general voice of civilization.

In Europe, during the year 1900, it appears that, in addition to the vast and regular death-toll due to old age and disease, there were violent deaths, as follows :

Accidents	.	.	.	89,592
Suicide	.	.	.	28,000
Homicide	.	.	.	6,946
Total				124,538

During the year 1910, in the United States, the corresponding figures mount to a total of 56,600. The sum of these two is

roundly) 180,000. If we assume that the European figures for 1900 are applied, with slight increase, to 1914, we see that the annual peace-toll, in life-destruction by violence, is approximately one-tenth of that due to war, *in the present maximum* belligerent period. In ten years, such deaths will equal in number the fatal harvest of the trench and the field. Looking backward over the century 1800-1900, we may take the *average* of violent deaths in peace-time as something less than half of the total (180,000) just stated, since the population of Europe and the United States has a little more than doubled in that period. Perhaps 75,000 will be near enough to the mark—or 7,500,000 for the century. The “expectancy” of these, the untimely dead, may be assumed as less than that of those who fall in war. Let it be taken as twenty years; then we have, in man-years, the imposing figure of 150,000,000—or *nearly double the number* (90,000,000) *taken directly by fatalities in war*. And the “wounded”? They are reported at 2,000,000 annually in the United States. The number seems high; perhaps it is; yet the commonest observation will support a serious deduction from life-value due to domestic and industrial accidents.

After considering all these phases of our subject, a modest claim may be made that, relatively speaking, the “horrors of war,” when duly accounted, fall far short of the measure indicated in emotional charges of “national criminality,” “race destruction,” and other similarly fervid anathema.

## APPENDIX B

LET us aim at the following status for all competent workers, remembering that in general each of these must maintain two dependants. Their annual task shall be not more than three hundred days of eight hours' work, intelligently and conscientiously performed. And the reward for each of them, and for each of their dependants, shall be not less than :

*For Food* : Five pounds of wheat-flour per day, or its equivalent in cost (usually one pound as bread, four pounds transmuted into meat, sugar, coffee, eggs, etc.).

*For Clothing and Covering at Night* : Annually, five pounds of woollen and twenty pounds of cotton or linen goods.

*For Shoes* : Annually, five pounds of leather.

*For Housing* : One thousand cubic feet of space, maintained at not less than 65° Fahrenheit, with healthful air and light.

*For Amusement* : Weekly, two inexpensive entertainments.

*For Reading : Secular and Religious Instruction* : One daily newspaper; two books and twelve hours teacher's time monthly.

*For Illness* : Monthly, one hour of an expert's time.

Should our civilized worker undertake to produce with naked hands the simple wants thus listed, he would utterly fail in his task. In our "temperate climates" Nature dooms to extinction those who work only with primitive intelligence and tools. He who occupies even the most modest rank in our great modern society, must have something more than the clouded mental vision and the empty hands of our progenitors. Among the instrumentalities necessary to him

are the plough, the saw, the axe, the wagon, the road, the horse—all these are needed to supplement the puny strength of our human limbs. To possess himself of such requirements, the worker must have already secured food for long periods of labour dedicated to their production, or he must receive them by gift or loan from others. Excluding the case of gift, we see that he must produce, not only the minimum direct requirements of himself and his two dependants, but he must also provide the *wages of capital*. He must pay for his borrowing. And he must pay for public order.

This treatise cannot be developed into one on political economy; hence it will be sufficient to state that in the average of things, in order that the civilized food-producer do the share allotted to him by our present social organization, his output must be great enough to support the three units charged against him directly, and also approximately another unit to meet the charges of capital and of civil government.

Let us assign to wheat a money-value (in American terms) of one dollar per bushel. We then have the following table :

Food . . . . .	\$60.00
Woollen clothing . . . . .	40.00
Cotton clothing . . . . .	25.00
Shoes . . . . .	9.00
Housing (rent, heat, and light) . . . . .	100.00
Amusement . . . . .	10.00
Reading and instruction . . . . .	47.00
Medical attendance . . . . .	18.00
Incidentals . . . . .	15.00
	<hr/>
	\$324.00
 This multiplied by four . . . . .	 \$1296.00
Add for feed of one horse . . . . .	60.00
Add for wear and tear on horse and tools . . . . .	40.00
Add for seed-wheat, taxes, etc. . . . .	60.00
	<hr/>
	\$1456.00
Total in wheat . . . . .	1456 bushels.

(All figures are at approximate pre-war basis, and for a twelve-month period.)

Here, then, we have an approximate figure for the food which an individual worker must produce to supply the simple



wants of those who are his immediate dependants and those who must be fed while they co-operate to make the things, other than food, entering into the *life* of the co-operative group. The actual average yield of wheat in the United States is about 15 bushels per acre. It is much larger when fertilizers and intensive labour on small acreage are employed ; but the *net result* of the total human effort involved is not considerably increased.

Basing conclusions on American conditions and methods, it is apparent that one worker must cultivate 100 acres, and obtain *average crops*, if the budget we have proposed is to be satisfied. Such a performance is far beyond the possibilities of an ordinary farmer. As a matter of fact, many millions of the world's inhabitants are unable, in the present scheme of things, to produce annually more than 700 bushels (or its equivalent in other things) of wheat, and to distribute it (or its various transmutations) throughout the groups to which they belong.

Now the great aid which is available to them must come from *invention* in material things, and *wise government* in immaterial things. The progress of both of these aids to the poor man is dependent upon the preservation of peace and order throughout society. It is true that the genius of Invention shows, during war-excitement, some of its most active phases. But the fruit of its work must be then directly dedicated to the growth of destructive agents. If, indeed, some new principles of physical science, or some unfamiliar applications of previously known principles, should be born of war, these may later be usefully applied to the *creation* of wealth, instead of to its *destruction*. But it remains true that the vast enginery of civilization has been conceived, brought forth, and matured chiefly by the ambition and the cupidity of remarkable men, operating in times of peace. It is their precious work which it is our business to encourage and protect.

So also in the science of government, citizens and statesmen must be freed from the absorbing burdens of war if they are to solve successfully the thousand problems of social readjustment which press upon us.

## APPENDIX C

THE patriot who strikes for country's sake, and falls ; the youth who seeks glory on the field, and finds death ; the reformer who would free the oppressed, and is himself stricken—all these hunger for things of the soul, as the lean savage hungers for meat, seized from the hand of his slain rival.

This is Nature's law inexorable, that her children shall be subject to certain master-appetites ; and that for satisfaction of these appetites they shall slay each other, if need be, until she shows new ways, not marked with blood.

These ways are made *practicable* by the ever-increasing light of intelligence granted to us. And the same kindly light makes our new ways more *desirable* than the old. Both in our direct and in our sympathetic interests, life's worth is increased. We prize it more highly, we enjoy it more richly.

By the help of vision extending beyond the present moment, and beyond the actual material horizon, we have *already* gone far on the path which leads away from bloody contest over *immediate food-demands*. It will be wise to retrace that path—to study its direction—and if possible learn what determines its course.

Surveying violence in the animal kingdom, we note that herbivorous beasts are as ready to do battle in sex-combats as are their carnivorous neighbours. Food contests, on the other hand, are markedly predominant among the meat-eaters. What does this mean ?

In our present inquiry we are not directly concerned about sexual struggles, despite their importance in a general theory of evolution. They are individual ; they are not the occasion of war between the groups we are now considering, which

normally contain equal numbers of both sexes, mutually satisfying each other in respect to an appetite which would otherwise produce inter-group struggles. But the contrast observed above must not be carelessly dismissed; for we are concerned about food-combats, since they develop into true wars. If, therefore, we find that all animals are equally belligerent in seeking satisfaction of one fundamental natural requirement, and are unequally belligerent in respect to another such requirement, we may be on the track of those conditions which, in part at least, determine men to the use of force against each other. When we consider the food-supply of the grazing herbivore on the one hand and of the carnivore on the other, we are struck by the fact that, for the former, Nature spreads a table, wide as the pampas or the forests; and the viands are immobile, non-resistant, yielding themselves without struggle to browsing lips. For the latter, food is supplied in small, compact masses that flee at the faintest smell of the hungry hunter. Nor is flight always the only self-protection essayed by the menaced victim. With hoof and horn the great stag turns at bay upon his assailant, armed with fang or spear. But, whether or not force is required to conquer his dinner, the flesh-eater must at least *find* it, *catch* it, *slay* it. In this process, if a competitor appear, what is to be done? A single doe is now before the eyes of two who hunger. Experience teaches that the way is long and weary, ere others of the scattered herd can be tracked. And already gnawing stomachs hint of failing strength. If the competitor can be driven off, or killed, all is well. If not, perhaps the lowly mind does not see death ahead, but tooth and claw and wiry muscles are put in play to save the existence that hunger will soon waste away.

All the sweet solicitations of life are bound up in the hide of a single contested victim. Which of the two shall have it? Let the God of Battle decide. Who else, indeed? "Instinct" and "rudimentary Reason" (if they differ) combine to urge wolves or troglodytes to settle the vital issue in mortal combat. Later—much later—Nature gives to man an experimental knowledge thus expressed: "There are other deer

in the neighbourhood ; there is a to-morrow in which the chase can be resumed. Two men hunting together may secure more than twice the prey attainable by their separate efforts. It will therefore pay me to divide this doe between my rival and myself, and agree with him upon co-operation for the future." Until the day of enlightenment arrives, the jungle law of "supply and demand" is this : a limited and localized store of any necessity, when conceived by rival seekers as the total supply available to prolong life, will become the objective of force—contests between the claimants. When the enlightenment comes we see a new law at work. It may thus be generalized : Co-operation will increase the available food-supply, yielding more to all than can be had by methods of mutual destruction.

Together with all other animals (except browsing herds, eating as they walk), our rude ancestors were confronted with ceaseless repetitions of absolutely critical situations in which life could be maintained only by taking the lives of competitors. There were no alternatives of conduct possible between one course leading to self-preservation, and the other to death. *Only when there was some provision for the immediate cravings* could they speculate upon the wisest, the best, the rightful disposition of foods, or tools or weapons to which competitive claims were made. Moral codes had to wait upon a full stomach, whence sprang a glimmering appreciation of the future in its relation to the present.

Then came the Inventor—the superman who taught how to make a fire, string a bow, chip a stone, float a vessel, fashion a metal, put steam in an engine, construct a dynamo, make the wide spaces whisper our thoughts. Before his time, fortunate chance sometimes gave a surplus stock of food to lowly tribes. As he grew to modern stature, only evil chance of the direst sort—or war—could deprive man of the comfortable supplies won from Nature, whose secrets he had forced. He made a spreading prairie for us all. Bovine contentment became possible to men who no longer feared starvation. In the sure provisioning born of his intelligence and our common industry, we escape the fierce law of the

chase. We browse in pastures that are ever green. Our daily bread is no longer the prize of tragic contests ; it is the fruit of orderly herd-conduct. Bovine contentment marks the lives of millions whose stomachs have never known the grip of hunger. True, the old experiences sometimes haunt our safe existences, driving us to seek in combat the delirium we once knew when fighting and living meant the same thing. Then the chiefest joy of the savage came in the mad rush to slay him whose mere desire to live made him a competitor, and hence an actual or a possible enemy. Now our neighbour helps us to plough the field, to harvest the crop, to render judgements. And these mutual neighbourly aids may be given and received by men unknown to each other, living wide away from each other, a whole continent between.

In that high-mounting tide of intelligent life we mark the trend until our time. We note millions of men normally living industrious, well-matured years. In certain happily situated countries, generations have succeeded each other through a century or more, none seeing war save those who went afar to seek it.

Such were the fortunate experiences of citizens of the Roman Empire in its best epoch ; of Great Britain since Cromwell's time ; of the northern part of the United States since the Revolutionary period. In those exceptional cases, and in all others of well-ordered civilization, we everywhere see the same general phenomena—centralized institutions of judgement and force, combined with advancing knowledge of means for satisfying our material wants. Science diminishes the number and urgency of those occasions which require ugly, brutal competition for the very substance of life, while government, within each state, restrains those outbreaks which remain as our inheritance from ages of general violence, or which result from conflicting interests of our immaterial personalities.

*If we had not solved the problems of food-supply, our mechanisms of government would not function.* The soldier marches to battle, because he has been, and will be fed. The civilian pursues his quiet way, and submits even to harsh judgements,

because he is reasonably sure of food. Tribes have given up their sovereign right to fight for life. They have even combined to make great states, when they felt an assurance of future support, already gained, or to be gained by the union of many in one.

## APPENDIX D

### EXAMPLE OF FEDERATION AND MERGER

To some inquirers, the parallelism between the actual development of peace-keeping mechanisms *within* the state, and the possibility of such mechanisms *between* states, may seem to be sufficiently convincing. The accomplished success of the one may seem to justify every serious effort made for attaining the other. If such inquirers still have lingering doubts as to the "inevitability" feature of the case for war, they may, at least, hold that no man knows what is inevitable until the event proves it so. He who professes to *know* that war is "inevitable" has but a darkened mind. He is one of Nature's Tory molecules, assigned, for mysterious reasons, to serve as deterrents to reforms, whose moment has not yet come.

Philosophers and theologians have combined in upholding various institutions which have now been relegated to the past. The former appealed to what they considered as the unchanging order of Nature, the latter to specific commands presumed to have been revealed from supernatural sources. Even in the realm of physical science, certain minds refuse to modify living organisms with a view to their improvement. They hold that all such organisms have been developed by some universal and all-wise consciousness. To its work final perfection is attributed, though, obviously, we observe at any one time only a particular stage in the development of that work. Thus, in the medical profession, objectors appeared against the introduction into the human body of foreign bacilli. Others considered the removal of the vermiform appendix (a useless and dangerous excrescence) as the

taking of a perilous liberty with a perfect machine which had been brought together by the mysterious power governing all things. Slowly, but surely, these objectors are diminishing in number, and all men are learning that *the human mind is itself one of the most powerful and pervasive of agencies* for effecting the ceaseless flux which is the universe.

It is fortunate that, for our subject matter, we may point not only to the parallelism which has already been emphasized, and to the precedents which have been cited ; but history furnishes also another suggestion, indicating the possibility of accomplishing our proposal.

We have dwelt upon the development *within* each independent sovereignty of peace-keeping mechanisms. They have come to be what they are by the gradual coalition of minor groups, so small and incoherent that we hesitate to apply to them the dignified title of sovereign states. But the process has gone even further. Units which, according to our present standards, would be indubitably entitled to the rank of *sovereign states*, have coalesced with each other, forming one new peace-keeping mechanism ; or they have allied themselves for the purpose of eliminating violent contests, while retaining individuality of sovereign right in all respects not inconsistent with the abolition of war between the units making up the group. Every European state, except those of recent revolutionary formation, may be said to illustrate the one or the other of these two processes. The most cursory review of European history reveals this fact.

School children learn of the union of Castile and Arragon in what is now Spain. They know that Normandy, Brittany, and Navarre were ancient kingdoms which had every mark of independent sovereignty until, being united with other portions of what is now France, a unit was formed, whose present fair solidarity scarce suggests that only yesterday it was a thing of shreds and patches. They know that Scotland and England fought each other across the border for so long a time that union into one state seemed to the conservatives of two or three hundred years ago an impossible contravention of Nature. They know that modern Italy grew into



unity through the complete extinction of sovereign rights in the kingdoms of Naples, Sardinia, and the Roman State. They know that the Germany of to-day was once broken into more than three hundred substantially independent fragments, that in the time of Napoleon these were reduced to something like one hundred, and that now nineteen sovereign states—sovereign in all save certain powers delegated to the Empire—make a unity for the guarantee of enduring peace between these states. They know that Austria-Hungary presents a remarkable example of imperial organization, covering units of the most dissimilar character.

It is unnecessary to carry further the possible list of examples. It would be easy to indicate large numbers of once sovereign bodies which have yielded up, voluntarily or involuntarily, the whole, or a part, of their absolute independence.

It is obvious that if the merger resulted solely from the conquest of a weaker by a stronger body, the illustration would not be apt for the purposes here in view. As a matter of fact, however, a very large number, and perhaps the most important of these mergers, have taken place voluntarily. They have taken place because union seemed advantageous. In many cases the cession of sovereignty was absolute. In others it was not absolute, but nevertheless went considerably further than is proposed for the international organization now under consideration. Each such case involved a sacrifice of dynastic pride on the part of certain families, and it also involved a yielding up of that strong spirit of nationalism which lies in the hearts of whole peoples. This indwelling spirit, affecting us for good or for evil, was more completely renounced in the intimate union of Scotland and England than would be required to-day if Great Britain should enter, with other sovereign states, into a less intimate organization, having no other function than to prevent armed conflicts between the organizers. It is true that in the case just mentioned an aid to the public movement was found in the relationships of royal families which gave to these two independent countries the same king, James I. The subsequent

century of independence under a single monarch doubtless prepared the hearts of men for the final union. As against this adventitious aid, may we not suppose that an equal force has arisen in the closer contact of private men of different nationalities throughout the world? The Printing Press, Steam, and Electricity — are not these three royalties, knitting us together into a sense of unity as great as that which prepared the Scotch to abandon their Parliament in Edinburgh, and transfer their representation and their allegiance to a greater body, sitting in the foreign city of London?

Midway between the slow, almost unconscious, coalition of tribes or loose feudatories into a compact state, and the well-marked union of sovereignties into a greater sovereignty, stands the example of the American Federation. Its accomplished purpose was the making of a nation. If, indeed, the combining units were more homogeneous than are those independent states which may unite to form a world organization, so, on the other hand, they went much further toward complete centralization than would be necessary for the establishment of a peace-keeping tribunal over the nations.

As a matter of fact, moreover, colonial jealousy was developed to a high degree; yet a way was found to satisfy these centrifugal sentiments, while constructing a mechanism which operates closely in the daily lives and in the hearts of a hundred million people.

The student will be well recompensed who will read the moving arguments of Madison and Hamilton, directed against the same objections which many now urge concerning a world-court.

The interests involved were too diverse.

The distances between colonies were too great.

The new authority would be ignorant of local opinion and local needs.

The central government would be removed from popular control, and would soon become a tyranny.

It would be better to form several unions instead of one.

It would be wise to reserve to each state the enforcement

within its borders of all laws, whether of national or state legislatures.

It would be impossible to prevent the rule of cliques who would be able to use the central force for partisan designs.

And so on, through the whole gamut, familiar to all who to-day enter the field to promote the establishment of a world-court.

Patiently, Hamilton and Madison, the two great Federalists, traversed all these positions. An excellent treatise on International Organization may be compiled from their papers. In many respects the ground they covered was far broader, the burden of argument far heavier, than that which is presented in this work. The American colonies not only set up a complete legislative power, but one complicated by the necessity of making many vexatious delimitations between its functions and those left to the states. They created an executive of vast authority, and yet related in complex ways to the legislative body and to the states.

And they set up a court of supreme resort in all cases of certain character. Its jurisdiction has covered controversies between the semi-sovereign states and between humble citizens. Its decrees are the law of the land. The military force of the United States, when necessary, will be used for their enforcement.

The great experiment was tried. It failed once in 1861. Yet, with this exception, it is a witness, more than a century old, to the practicability of preventing war between large societies of diverse interest by the establishment of a central tribunal.

But it may be said that while these examples of cohesion between hitherto independent bodies may thus be marshalled forth, on the other hand a glance at history reveals also the break-up of large units into small ones. This indeed is true. Nor does it fail to support the general proposition that sovereignties are changeable units. They change not only in respect to particular territorial occupation, and particular population magnitudes, but they are modified in a hundred ways, from the so-called absolute independence of a great

state like France, to the scarce definable relation existing between Tibet and China. These units have, in fact, the variability and elasticity in combination which is disclosed in the physical world of chemical elements. The disruption which Europe witnessed in the breakdown of the Empire of Charlemagne may possibly come again to the world. With that contingency we are not now dealing. We remit it to a future so distant that it cannot be introduced into a discussion of the practicalities of to-day. Enough has happened since that disruption, in the subsequent union of minor states, to warrant the conclusions which are sought for in this discussion.

## APPENDIX E

It would be to flatter democracy if we held that only established dynasties have led their hosts to bloody conquest. Nay, many of the greatest feats of sheer military domination have been accomplished by volcanic strength of relatively new leaders.

Moses was a theocratic upstart, his hands sustained by a priest whom the people revered.

Genghis Khan inherited a tribal chieftainship and conquered power. Caesar feared, or feigned to fear, a diadem; and even his illustrious nephew claimed power in the name of the Senate.

Napoleon was the perfect type of the Democracy's darling. A nation flung itself at his feet—a people embraced him with their love. They were his escutcheon—their plaudits his only royal titles.

English dominion has indeed been declared throughout the seven seas in the name of a reigning king or queen; but all men know that the Cromwells and the Pitts have swayed the rod of empire more boldly than any monarch in the English line since the days of great conquest began.

These two were the people's "men"—and so, across the ages, it has been. The lust of power seems to burn in a thousand breasts as in one. Yet we know that the flame tries to hide itself. It seeks another name than the old, frank, brutal name of conquest.

Hypocrisy is the first stage of progress in reform. We are still lustful, but we utterly condemn those who go out to battle without alleging a "righteous" cause. The modern conscience stirs, but as yet no final expression has been given to its travail.

So far as world organization goes, our day presents no checks to conquest other in kind than those known to the ancients.

Then, as now, the drift toward universal dominion of a single power was retarded by the jealousies of other states, the refractoriness of conquered populations, and the promptings of conscience within each private breast. These are the only forces which restrain unruly ambitions of strong men, leaders of strong nations ; and, happily, the resultant of these forces has been sufficient, in the lapse of centuries, to so limit wars of conquest that now the number of men is small who, by virtue of a conqueror's oppression, keenly desire to sever themselves from the country of their present allegiance.

Even in cases of power founded on violence, time, the great conciliator, has often turned the grief of a conquered people into a fond devotion to a new entity, formed by the happy union between victor and vanquished. Thus, Roman citizenship ennobled subject races all round the Great Sea. Thus, the proud English race grew from Saxon subjugation to a Norman conquest. And now the disaffections in Britain's vast overseas empire can be cured rather by some new relationships with the distant Raj than by a destruction of Imperial bonds.

Even poor Africans, seized from their forests to be enslaved in an unknown land, now hold *that* land as "home"—and love it.

So far have we gone on the road leading toward satisfaction with fatherland associations—so far have we gone on the road leading *away* from open conquest and subjection—that modern transfers of territory *have been made, and are now sought in the name of Nationalism*. Conquest is alleged to be recovery.

May we not, in the face of these facts, venture to declare that the old Tamerlane type of conquest is obsolete ? Shall we slay others to glorify, or to fatten, our kings, or ourselves, the Democracy ?

## APPENDIX F

THE prejudices of Americans have not extended so far as to seriously oppose the immigration of Japanese belonging to the mercantile and professional classes. But they have objected to the presence of farmers and labourers from the Orient. Acceptance or rejection of these two classes could not sensibly affect Japanese business interests (exports to and imports from the United States), since these interests are sufficiently subserved by admission of merchants and professionals. Nor can the exodus of the small numbers of farmers and labourers who have gone into California be considered as a relief to redundant population. In so far as that problem has to be met by Tokio statesmen, it is much more readily and satisfactorily accomplished by the movement of their compatriots into territories already controlled by them, and geographically very near to the crowded centres of their populations.

We must therefore ascribe Japanese irritation to some motive other than those two which account for so many international quarrels. What we have to deal with in this case is an offended dignity—a wounded pride. American public opinion on this particular point has been erroneously formed. The idea that the Japanese in California are the forerunners of an overwhelming swarm of Orientals has been widely fostered. Yet from any fairly intelligent study of the situation it is found that public opinion in Japan takes quite a contrary view. The rulers of that country do not believe that a vast movement of their people to our shores is either necessary or desirable, but they do believe that no invidious distinctions should be made against their nationals by the laws of the United States, or of any other land.

Much capital has been made of this misunderstanding by those who oppose the establishment of a peace-keeping tribunal. It is presented as one which definitely stands in the way of international organization. It is often spoken of as one of those issues which can be settled only by war. When marshalled in the same ranks with the Monroe Doctrine, it furnished to American senators their heaviest fire directed against the so-called Arbitration Treaties reported to the United States Senate in 1911. All the more will that fire be directed against any true surrender of sovereignty for the prevention of war. Similar doctrines in all parts of the world present very serious obstacles to international organization.

The limitations of this work render it impossible to enter into a detailed discussion of the points involved. It seems to be sufficient for our purpose to refer to an important contribution that has been made to this controversy by Dr. Sidney L. Gulick. He writes as follows :—

#### OUTLINES OF A COMPREHENSIVE IMMIGRATION POLICY AND PROGRAMME

Let me give in briefest outlines a policy and a programme that seems to fulfil the requirements.

##### 1. *The Control of Immigration*

Immigration from every land should be controlled, and, if excessive, it should be restricted. The principle of restriction should be applied equally to every land, and thus avoid differential race treatment.

##### 2. *Americanization the Principle of Control*

The proven capacity for genuine Americanization on the part of those already here from any land should be the measure for the further immigration of that people. Newcomers make their first contact with America through those who speak their own language. The Americanization, therefore, of newcomers from any land depends largely on the influence of those already here from that land. The number of newcomers annually admissible from any land, therefore, should be closely dependent on the number of those from that land who, having been here five years or more, have actually become American citizens. These know the language, customs, and ideals of both peoples, ours and theirs.



**America should admit as immigrants only so many aliens from any land as she can Americanize.**

### 3. *The Proposed Restriction Law*

Let, therefore, an immigration law be passed which provides that the maximum permissible annual male immigration from any people shall be a definite per cent (say five) of the sum of the American-born children of that people plus the naturalized citizens of the same people.

The grandchildren as a rule do not know their ancestral language, and therefore do not aid particularly in the Americanization of newcomers.

In general there would be no restriction on immigration from North Europe. The reverse, however, would be the case for the countries of South Europe. The permissible immigration from China and Japan would be less than that which has been coming in recent years.

Provision should be also made for the protection of all newcomers from ruthless exploitation and for their distribution, employment, and rapid Americanization. To aid in the accomplishment of these ends, the federal government should establish—

### 7. *Citizenship for all who Qualify, regardless of Race*

Eligibility to naturalization should be based upon personal qualifications of intelligence, knowledge, and character. The mere fact of race should be neither a qualification nor a disqualification.

Such are the main outlines of the proposed Comprehensive and Constructive Programme here offered for the solution of the entire immigration problem, Asiatic as well as European. For an adequate understanding, however, of this general proposal we should consider many details which are here necessarily omitted.

#### ADVANTAGES OF THIS POLICY

Would not the above proposals for a Comprehensive and Constructive Immigration Policy co-ordinate, systematize, and rationalize our entire procedure in dealing with immigration, and solve in a fundamental way its most perplexing difficulties? Such a policy would protect American labour from danger of sudden and excessive immigration from any land. It would promote the wholesome and rapid assimilation of all newcomers. It would regulate the rate of the coming of immigrants from any

land by the proven capacity for Americanization of those from that land already here. It would keep the newcomers always in the minority. It would be free from every trace of differential race treatment. Our relations with Japan and China would thus be right.

Such a policy, therefore, giving to every people the "most favoured nation treatment," would maintain and deepen our international friendship on every side.

#### AN OBJECTION

I am not ignorant of objections to these proposals that have been raised by a few critics. They assert that Asiatics and especially Japanese are not assimilable. They love to quote the famous lines from Kipling :

Oh, East is East, and West is West, and never the twain shall meet,  
Till Earth and Sky stand presently at God's great Judgment Seat.

They, however, who quote these lines, forget or never heard the lines that immediately follow :

But there is neither East nor West, Border, nor Breed, nor Birth,  
When two strong men stand face to face, tho' they come from the  
ends of the earth.

There are indeed real differences between the East and the West, yet there is also real and still deeper unity.

This is a question of great importance and deserves careful study. I have not failed to consider it with some care in my volume on the *American Japanese Problem*. But after all the question is not really relevant to the general proposals here put forward. The permissible immigration proposed would be considerably less than that which is now coming from Asia under present laws. The question of assimilability of Asiatics, therefore, cannot be raised as an objection to this 5 per cent restriction proposal. On the contrary, should not those who urge Asiatic non-assimilability advocate this policy rather than oppose it ?

It is not necessary that every reader should fully adopt Dr. Gulick's proposed method of settlement of the Japanese question, in order to arrive at the general conclusion that the case will undoubtedly "yield to treatment," and that the treatment need not be that of the claw and the talon, but, on the other hand, should be that of "Shake hands" and "Let us sit down and reason together."

The author was profoundly impressed with this conclusion while studying the question in Japan. If Americans can eliminate from power in their national councils those hot-heads who declare that they must do something, which is described as "dominating the Pacific," we may feel reasonably assured that no war will follow between Japan and the United States, based upon the difficulties which were accentuated by the recent action of the State of California.

If the folly or the peevishness of statesmen on either side of the Pacific should prevent the application of some such common-sense measure as is indicated above, then the world would be fortunate if it possessed an organism which could restrain such folly and such peevishness from killing a great many Japanese and a great many Americans. It goes without saying that a problem as vexatious as the one just touched upon may explode into war before we shall have been wise enough to establish an international control.

## APPENDIX G

WEAK federations have indeed existed, endeavouring to bind together into the semblance of a state a number of separately armed bodies, unopposed by a competent force in the sole control of the greater organization.

These federations have not been able to stand the strain of internal dissension, even as well as they have been able to withstand the pressure from some external foe. If a common danger beset all the states composing the federation, there is a temporary cementing of units, directed toward a common purpose. The absence of central control results in woeful inefficiency. Under favourable conditions, however, such as those which existed during the American revolution, a very poor mechanism may produce, at very great cost, the result which has been aimed at in the organization of such a group. Moreover, in the case of the confederation of colonies of 1775, the independent units were themselves practically without arms. No particular colony could menace its neighbours with a highly trained independent force. And again, these colonies had not behind them the tradition of complete sovereignty to embarrass even the weak government born of the Articles of Confederation. It became possible that the sentiment favouring the stronger consolidation was able to express itself, when the incapacity of the first organization became evident. The centrifugal forces began to operate; but the advantages of centralization were sufficiently appreciated to inspire the great reform of 1787.

Quite different was the situation surrounding the Germanic Confederation of 1848. In this case, jealousy of central power prevented the creation of a true government. Drawn together

by racial and linguistic sympathies, a number of independent princes sought to secure safety from the consolidated powers of France, and to gain tranquillity among themselves by the establishment of an imperial council, shorn of all imperial power. There was great disparity in numbers, and also in military organization, between the units composing this group. The Prussian kingdom dominated by virtue of superior military organization. It cannot be alleged that this superiority was unjustly used against other members of the Confederation; but upon the first occasion when external work was to be done, Prussia alone was ready for those prompt actions of which war makes a virtue. Her swift campaign against the king of Denmark proved that the hand controlling an ever-ready force must dominate friends, in order to make head against common foes. It was soon obvious that the real power of the federation resided in Berlin rather than in Frankfort, where an irresolute council, which could not command, soon ceased even to advise. The mechanism which had rested upon lofty sentiments was wrecked upon the rocks of practical demands for the exercise of true forceful power, which none had been willing to give it.

The failure of these two typical cases of forceless federation, and the uniformity of centralized force in the organization in civilized states, must lead us to question the validity of public opinion as a guarantee of desired action. The creation of both of the federations just mentioned was certainly due to a public desire or public opinion. There was no secret, compulsive force at work; no external tyrant dictated the form of organization. The public opinion which created them was simply not sufficiently informed to set up mechanisms corresponding to its desires, and so the experiments failed, and the compensations were not realized.

## APPENDIX H

### WAR AS A POLITICAL REFORMER

DOMESTIC war is the ferment from which desirable political reform is sometimes obtained. If excessive distinction and unreasoning cruelty accompany the movement, reactions toward despotism frequently follow. Charles II., for a short time, and Napoleon I. both benefited by such counter-waves of social feeling. The revolt of a distant colony carries with it less occasion for frightful disorder than is offered by true civil strife in which neighbours mutually assassinate each other. But, whether with greater or less display of reckless and disordered violence, armed revolution must be recognized at times as the only instrumentality for accomplishing desirable changes in the relations of government and the governed.

Recent occurrences have suggested to some observers that international war is equally helpful as a solvent of internal difficulties, and should therefore be left unmolested as a part of the curative regimen of the human race. Changes in Russia, and impending changes in other countries, are cited in proof of this doctrine.

But the revolution in Russia (not yet full-fruited) may be said to have been delayed rather than expedited by war. It is to be remembered that Reform was speaking loudly—violently, even—in Russia, when the war with Japan hushed the turmoil. That war, however, gave added reason to doubt the *efficacy* of the government as an administration, but scarcely shook the affections of the people for the Czar. A competent ruler could have satisfied all complaints on this

score without diminishing his own power, either in theory or in practice. But the ruler was not competent. Those courageous, but not numerous, citizens who must do the large thinking for Russia, again took up the burden of general political reform, their demands being made more insistent by continued revelation of general political iniquity. The present struggle again disclosed imperial inaptitude. That was the contribution made by war to a cause that had been heretofore obstructed by it. The displeasure of conservative intelligence in Russia had been directed against the environment of the Throne. Fear of treason, so it is said, set the current suddenly against the Throne itself. It remains to be seen whether the nation can steer a fixed course, having thrown overboard the captain (how poor he was !) in a raging storm.

It cannot be said that French experience of similar situations is encouraging in its suggestions as to immediate results. The pressure of foreign war, after the beheading of Louis XVI., gave us a magnificent example of popular energy, rejoicing in itself and taking form in the First Republic. It ended by forcing a new civilization, taking form in the First Empire. In later years continued stress of a war which had been brewed for his dynasty's sake showed the weakness of Napoleon III., and gave France the commune and the capitulation. Only after years of trial—years without international war—were the French people able to attain to a republic, firm and fair in every outer line. He would be a bold man, indeed, who would declare that foreign strife, as such, had hastened either in Russia or France the permanent establishment of foundations for political liberty and progress, save in so far as the exposure of administrative rottenness be shown in the red glare of war, and gives a more trenchant speech to militant reformers. Doubtless, if changes in Germany or Austria-Hungary should occur during the existing war, or immediately thereafter, the *post hoc, propter hoc* argument will be invoked to relate the one to the other.

Yet, again, we must remember that German reformers were rioters in Berlin's streets only a few years before the war ;

that a great political party had been called by the Kaiser a body of traitors, because their demands ran so far afield from the monarch's orthodoxy ; that this body of traitors increased steadily in numbers and influence ; that the clouds of foreign war, floating from Morocco and from Mesopotamia, were sufficient, even before the storm burst, to slacken the march of reform ; and that if now it is resumed, while the cannons still roar, no man may know whether the hour of consummation might not have struck earlier, but for the distant mumblings of Agadir, the dreadful crash of Verdun.

Certainly the inner and the outer movements of every nation are inextricably intertwined. It will be impossible to vigorously show that a given reform was, or was not, delayed by a given foreign war. But the generalizations of the case were *against* the theory of external war as a hothouse of political progress. Political revolt is generally directed against centralization of power and wealth in a small class, whether of privileged nobles or of royalty only. In general, on the other hand, war favours—even necessitates—centralization of power in *somebody's* hands. Wealth by privilege is also favoured by the unscrutinized operations of a belligerent government. If *inheritance* of power and wealth—one or both—be established as the general system of society, then “inevitably” time will breed abuses tending, first to degrade the masses, later to excite them to rebellion. If inherited power and wealth could be luxuriously served by poverty without intelligence, we should have no internal troubles ; but, seduced by the fine things wrought by intelligence without privilege, despotism nurtures a serpent which finally strikes at its master, and we have democracy, with its suggestion of stability through equality of privilege. Now this intelligence without privilege is developed by commerce. It shows in the merchant, the manufacturer, and in the professional men attending upon commerce. International war tends to destroy commerce, hence it tends to destroy that which is necessary for accomplishing reforms.



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